

THE PAPERS OF  
**William Livingston**

EDITED BY  
CARL E. PRINCE AND  
MARY LOU LUSTIG



VOLUME 4: JULY 1780–APRIL 1783





THE PAPERS OF WILLIAM LIVINGSTON



Frontispiece: Liberty Hall, Livingston's home at Elizabethtown, N.J. Reproduced by courtesy of the New Jersey Historical Society.

THE PAPERS OF  
**William Livingston**

VOLUME 4

July 1780–April 1783

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To Senator Laurence S. Weiss  
and  
Frederick P. Wertheimer



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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.

### 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 or question mark 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. 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) 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. 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

CSmH	Henry E. Huntington Library, San Marino, CA
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
De	Delaware Division of Historical and Cultural Affairs, Bureau of Archives and Records, Dover, DE
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
MdA	Maryland Hall of Records, Annapolis, MD

MeHi	Maine Historical Society, Portland, ME
MH	Harvard University, Cambridge, MA
MHi	Massachusetts Historical Society, Boston, MA
MiU-C	University of Michigan, Ann Arbor, MI
MWA	American Antiquarian Society, Worcester, MA
N	New York State Library, Albany, NY
NCooSHi	New York State Historical Association, Cooperstown, NY
NhHi	New Hampshire Historical Society, Concord, NH
NHi	New-York Historical Society, New York, NY
NHyR	The Franklin D. Roosevelt Library, Hyde Park, NY
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
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
PHarH	Pennsylvania Historical and Museum Commission, Harrisburg, PA
PHC	Haverford College, Haverford, 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
RA	Rhode Island State Archives, Providence, RI
RHi	Rhode Island Historical Society, Providence, RI
ScHi	South Carolina Historical Society, Charleston, SC
TxHU	University of Houston, Houston, TX

ViCW Colonial Williamsburg Foundation, Williamsburg, VA  
 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>The Works of John Adams</i>	Charles Francis Adams, ed., <i>The Works of John Adams</i> , 10 vols. (Boston, 1850–1856)
<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)
Boyd, <i>Papers of Thomas Jefferson</i>	Julian P. Boyd, ed., <i>The Papers of Thomas Jefferson</i> (18 vols.; Princeton, NJ, 1950–1971)
<i>Brieven</i>	William Hendrik de Beaufort, ed., <i>Brieven van en aan Joan Derck van der Capellen van de Pol</i> (Utrecht, 1879)
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>The Collector</i>	Walter K. and Mary A. Benjamin, eds., <i>The Collector</i> (New York)
<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:Boudinot	Library of Congress: Papers of Elias Boudinot
DLC:Jean Holker	Library of Congress: Papers of Jean Holker
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)
Ferguson, <i>Papers of Robert Morris</i>	E. James Ferguson, ed., <i>The Papers of Robert Morris</i> (6 vols.; Pittsburgh, 1973)
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, Fourth and Fifth Series</i> (9 vols.; Washington, D.C., 1837–1853)
<i>General Assembly</i>	<i>Votes and Proceedings of the General Assembly of the State of New Jersey</i>
Hansard, <i>Parliamentary History</i>	T. C. Hansard, printer, <i>The Parliamentary History of England, from the Earliest Period to the Year 1803</i> (36 vols.; London, 1806–1820)
JCC	Worthington C. Ford et al., eds., <i>Journals of the Continental Congress, 1774–1798</i> (34 vols.; Washington, D.C., 1904–1937)
<i>Joint Meeting</i>	<i>Minutes and Proceedings of the Council and General Assembly of the State of New-Jersey in Joint-Meeting</i> (August 30, 1776–March 17, 1780)
<i>Legislative Council</i>	<i>Journal of the Proceedings of the Legislative-Council of the State of New-Jersey</i>
<i>Livingston Papers</i>	Carl E. Prince, Dennis P. Ryan, Mary Lou Lustig, eds., <i>The Papers of William Livingston, June 1774–June 1777; July 1777–December 1778; January 1779–June 1780</i> (3 vols.; 1979, 1980, 1986)

- 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)
- NJ Abstract of Wills NJA William A. Whitehead et al., eds., *Archives of the State of New Jersey. Calendar of Wills, First Series, vols. 30–42, 1730–1817*
- N.J. Gazette The *New-Jersey Gazette* (Burlington and Trenton)
- N.J.H.S., *Proceedings* *New Jersey History*, formerly *Proceedings of the New Jersey Historical Society*, 1959 to present
- N. J. Journal  
NN:Lyon *New-Jersey Journal* (Chatham)  
William Livingston Draft Letterbooks at the New York Public Library
- N.Y. Gazette & Weekly Mercury The *New-York Gazette; and the Weekly Mercury* (New York and Newark)
- N.Y. Historical Collections *Collections of the New-York Historical Society*
- Pa. Archives Samuel Hagand et al., eds., *Pennsylvania Archives, First through Ninth Series* (119 vols.; Harrisburg, 1852–1935)
- Pa. Colonial Records *Minutes of the Provincial Council of Pennsylvania. . .* (16 vols., Harrisburg and Philadelphia, 1851–1853). Title changed to *Minutes of the Supreme Executive Council of Pennsylvania. . .*, with vol. II
- 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)
- PMBH* *Pennsylvania Magazine of Biography and History*
- 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)
- Sabine, *Loyalists of the American Revolution* Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution with an Historical Essay* (2 vols.; Port Washington, NY, 1966)
- 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)
- Smith, *Historical Memoirs* W.H.W. Sabine, ed., *Historical Memoirs of William Smith, 1778–1783* (New York, 1971)
- Stevens's Facsimiles* *B.F. Stevens's Facsimiles of Manuscripts in European Archives Relating to*

- U.S. Magazine* *America* (25 vols.; Wilmington, 1970)
- U.S. Magazine* *The United States Magazine: A Repository of History, Politics and Literature* (Philadelphia, 1779)
- Van Doren, *Secret History* Carl Van Doren, *Secret History of the American Revolution* (New York, 1941)
- 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.

1780

July 2	In Raritan
July 17	Met with Privy Council in Preakness
July 19	Met with Privy Council in Preakness
July 26	In Preakness
July 31	Met with Privy Council in Morristown
August 4	Met with Privy Council in Morristown
August 9	Met with Privy Council in Morristown
August 15–16	Met with Privy Council in Morristown
August 17–21	In Morristown
August 22–23	Met with Privy Council in Morristown
September 13–16	Met with Legislative Council in Trenton
September 14	Met with Privy Council in Trenton
September 18	Met with Legislative Council in Trenton
September 24–25	Met with Privy Council in Trenton
September 25–27	Met with Legislative Council in Trenton
September 29	Met with Privy Council in Trenton
September 29–October 7	Met with Legislative Council in Trenton
October 7	Met with Privy Council in Trenton
October 17–23	In Trenton
October 30	Reelected governor by Joint Meeting
November 1–4	Met with Privy Council in Trenton
November 6–11	Met with Legislative Council in Trenton

November 7–9	Met with Privy Council in Trenton
November 13–16	Met with Legislative Council in Trenton
November 14–15	Met with Privy Council in Trenton
November 20–25	Met with Legislative Council in Trenton
November 20–22	Met with Privy Council in Trenton
November 27–30	Met with Legislative Council in Trenton
November 28–December 1	Met with Privy Council in Trenton
December 1–16	Met with Legislative Council in Trenton
December 16–18	Met with Privy Council in Trenton
December 18–26	Met with Legislative Council in Trenton
December 25	Met with Privy Council in Trenton
December 27	In Trenton
December 28–30	Met with Legislative Council in Trenton

## 1781

January 1	Met with Privy Council in Trenton
January 1–4	Met with Legislative Council in Trenton
January 3	Met with Privy Council in Trenton
January 5	In Trenton
January 6–7	Met with Privy Council in Trenton
January 14	In Trenton
January 18–28	In Bordentown
February 2–4	In Trenton
February 6	Met with Privy Council in Trenton
February 8–20	In Trenton
March 28–29	Met with Privy Council in Princeton
April 5–24	In Trenton
April 28	Met with Privy Council in Trenton
May 10–14	In Trenton
May 16–June 2	Met with Legislative Council in Princeton
June 2	Met with Privy Council in Princeton

June 4–11	Met with Legislative Council in Princeton
June 13	Met with Legislative Council and Privy Council in Princeton
June 14	In Princeton
June 15–23	Met with Legislative Council in Princeton
June 25	Met with Privy Council in Princeton
June 25–26	Met with Legislative Council in Princeton
June 27	Met with Privy Council in Princeton
June 27–28	Met with Legislative Council in Princeton
July 7–8	In Trenton
July 20	Met with Privy Council in Bound Brook
July 23	In Trenton
August 3	Met with Privy Council in Bound Brook
August 6–September 17	In Trenton
September 19–22	Met with Legislative Council in Princeton
September 21	Met with Privy Council in Princeton
September 24–26	Met with Legislative Council in Princeton
September 25	Met with Privy Council in Princeton
September 28–29	In Princeton
October 1–6	Met with Legislative Council in Princeton
October 5	Met with Privy Council in Princeton
October 6–30	In Trenton
October 30	Reelected governor by Joint Meeting
October 31	Met with Privy Council in Trenton
October 31–November 3	Met with Legislative Council in Trenton
November 2	Met with Privy Council in Trenton

November 5–9	Met with Legislative Council in Trenton
November 9	Met with Privy Council in Trenton
November 10	In Trenton
November 12–17	Met with Legislative Council in Trenton
November 13	Met with Privy Council in Trenton
November 19	In Trenton
November 20–December 12	Met with Legislative Council in Trenton
December 14	In Trenton
December 17–22	Met with Legislative Council in Trenton
December 21	Met with Privy Council in Trenton
December 24	In Trenton
December 25–26	Met with Legislative Council in Trenton
December 26	Met with Privy Council in Trenton

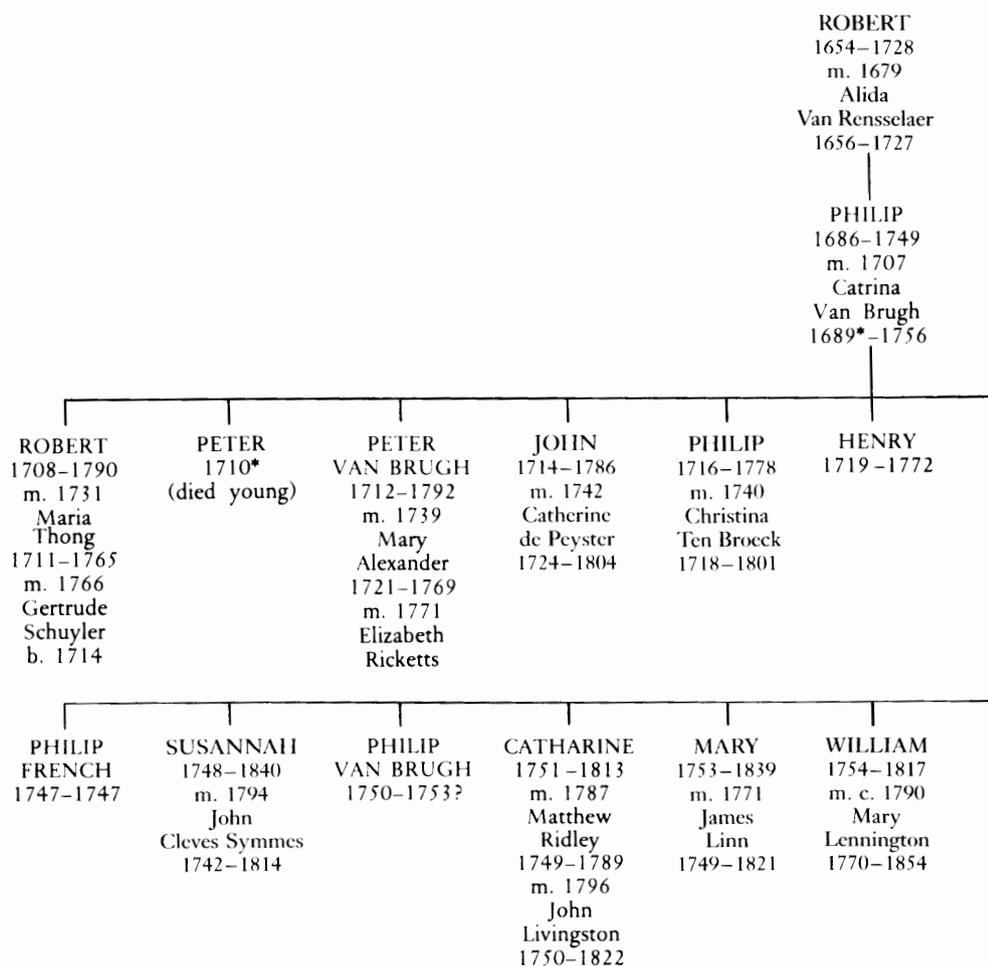
## 1782

January 1–February 9	In Trenton
February 16	Met with Privy Council in Trenton
February 29–March 4	In Trenton
March 7	Met with Privy Council in Trenton
March 8–23	In Trenton
April 5	Met with Privy Council in Trenton
April 11	In Elizabethtown
April 15	In Trenton
April 19	Met with Privy Council in Trenton
April 22–May 14	In Trenton
May 15–18	Met with Legislative Council in Trenton
May 17	Met with Privy Council in Trenton
May 20–21	Met with Legislative Council in Trenton
May 24	Met with Privy Council in Trenton
June 3	Met with Privy Council in Trenton
June 3–8	Met with Legislative Council in Trenton

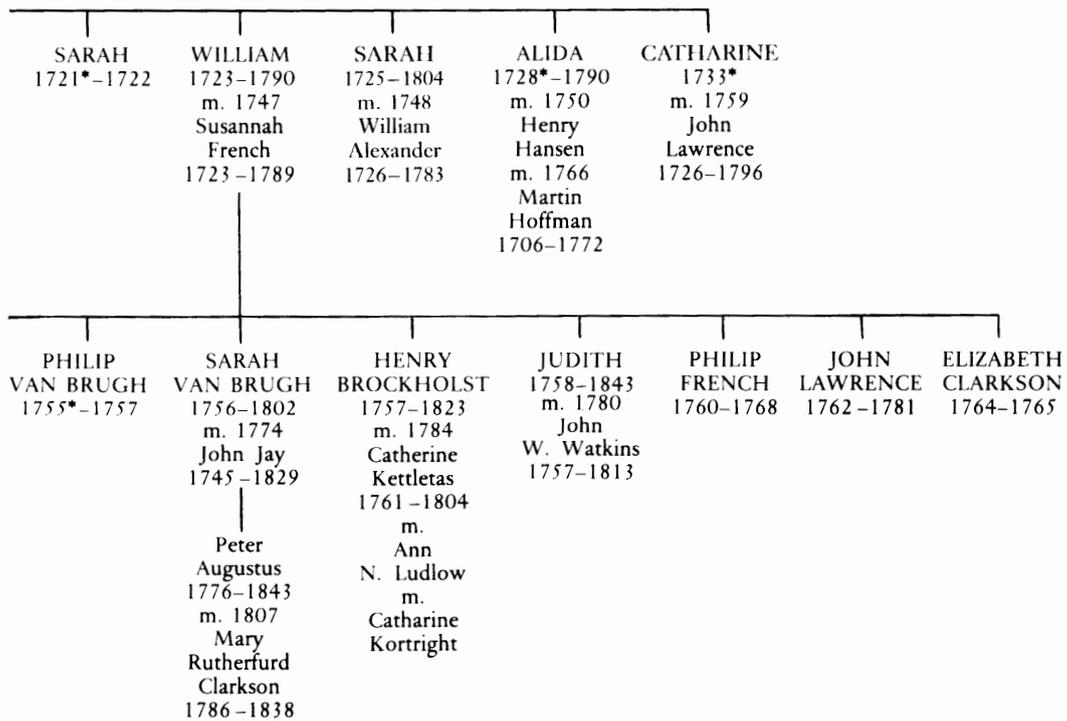
June 10	In Trenton
June 11–19	Met with Legislative Council in Trenton
June 18	Met with Privy Council in Trenton
June 20	Met with Privy Council in Trenton
June 20–24	Met with Legislative Council in Trenton
June 24	Met with Privy Council in Trenton
June 25–August 7	In Trenton
August 10	Met with Privy Council in Trenton
August 17–September 9	In Trenton
September 16	In Brunswick
September 19–24	Met with Legislative Council in Trenton
September 23–27	Met with Privy Council in Trenton
September 28	In Trenton
September 30	Met with Privy Council in Trenton
September 30–October 5	Met with Legislative Council in Trenton
October 3	Met with Privy Council in Trenton
October 17	In Trenton
October 25–26	Met with Legislative Council in Trenton
October 28	Met with Privy Council in Trenton
October 28–November 2	Met with Legislative Council in Trenton
October 30	Reelected governor by Joint Meeting
October 31–November 4	Met with Privy Council in Trenton
November 4–16	Met with Legislative Council in Trenton
November 16	Met with Privy Council in Trenton
November 18–23	Met with Legislative Council in Trenton
November 19	Met with Privy Council in Trenton
November 25–December 7	Met with Legislative Council in Trenton
December 4	Met with Privy Council in Trenton
December 9	Met with Legislative Council in Trenton
December 11	Met with Privy Council in Trenton
December 11–26	Met with Legislative Council in Trenton

December 26	Met with Privy Council in Trenton
December 28	In Trenton
	1783
January 8	In Elizabethtown
January 25–29	In Trenton
February 1	Met with Privy Council in Trenton
February 2–April 3	In Trenton
April 8	Met with Privy Council in Trenton
April 14	In Trenton

# GENEALOGY



NOTE: This table contains substantial changes from the tables appearing in previous volumes.  
 \* date of baptism





THE PAPERS OF WILLIAM LIVINGSTON



# *The Livingstons and the Spies*

*July 12–November 19,  
1780*

*William Livingston and members of his extensive family were involved in and affected by two major events that struck New Jersey and the United States in the summer and autumn of 1780. The first was the capture and escape of Loyalist James Moody; the second was the treachery of Benedict Arnold.*

*At the outbreak of the American Revolution, Moody, a Sussex County farmer, had refused to take the required loyalty oaths. His refusal sparked a series of Whig raids on his person and his home. In disgust Moody, with over seventy of his relatives, friends, and neighbors, left Sussex County in 1777 to join Gen. Cortlandt Skinner's Loyalist brigade. While serving with Skinner, Moody undertook a series of devastating raids on New Jersey farms and villages. He also became actively employed by the British as a spy.*

*Like most Loyalists, Moody suffered the confiscation of his estate. In retaliation, in May 1780 he plotted to kidnap*

*several of New Jersey's high-ranking public officials, including the governor. He was unsuccessful, but in July of that year he captured eighteen other prominent New Jersey residents. Livingston was cheered when he received word that Moody had been captured on July 21 by Gen. Anthony Wayne at Liberty Pole, N.J.*

*Wayne, fearful that Moody would escape, had him incarcerated at West Point, N.Y., where he was placed under the supervision of its commander, Gen. Benedict Arnold. In leg irons and handcuffs, Moody reported that "the hand-cuffs were of a particular sort and construction, ragged on the inside next the wrist."<sup>1</sup> Moody blamed Arnold for his harsh treatment, which he endured until George Washington ordered the chains removed. Shortly after, Moody was taken from West Point to Washington's headquarters at Tappan, N.J., for trial as a spy. When the army had exhausted the forage in Tappan, it moved to Steenrapic, N.J. (site of*

present-day River Edge), and it was from there on September 17 that Moody escaped. After several days in the New Jersey woods, Moody made his way to British lines.

On September 22, shortly after Moody's escape, Benedict Arnold, Moody's erstwhile captor, was riding through the New York woods. His destination was the house of Thomas Smith, brother of William Livingston's brother-in-law, fellow attorney, and former friend William Smith. There Arnold met Maj. John André, aide-de-camp to British commander Sir Henry Clinton. The two men completed plans for Arnold's turning the garrison at West Point over to the British. Clinton also expected to capture the American commander in chief, George Washington.

André had traveled up the Hudson River in the British sloop *Vulture*, which was anchored at Stony Point. The sloop's progress upriver had been observed from the shore by William Livingston's cousin, Col. James Livingston, who ordered it bombarded by his militiamen. The *Vulture* returned the Patriots' fire, and fled downriver to Sing Sing, N.Y. André, having concluded his meeting with Arnold, returned to the Hudson to sail back to New York City, only to find the *Vulture* gone. Rather than wait for its uncertain return, he decided to travel back to headquarters by land. His guide, another Smith brother, escorted him part-way and, after pointing out the road to White Plains, returned to the Smith house. André, instead of following Smith's suggestion, decided to travel by way of Dobbs Ferry. This route brought him face to face with three New York militiamen, whom he mistook for British

sympathizers. André was arrested, convicted, and on October 2 hanged as a spy.

Meanwhile, soon after André had set off on horseback, the *Vulture* returned to Stony Point. There the *Vulture* remained until September 25, when a frantic Arnold, aware that André had been captured and that his complicity in the plot was soon to be made known to General Washington, reached it in a rowboat. Arnold informed the captain that André was imprisoned and the sloop returned to New York City. On its arrival there Clinton was outraged to discover that he had sacrificed his aide-de-camp to receive in return only the services of Benedict Arnold.

On Oct. 7, 1780, a jubilant Livingston wrote to Washington congratulating him on his personal escape and the continued safety of West Point. Either loss would have been devastating to the American cause. Although Washington and the fortress were saved more by chance than by skill, Livingston and other Americans saw divine providence at work or, as Livingston phrased it, "the peculiar Guardianship of Heaven."<sup>22</sup>

The divine hand again seemed prominent in October 1780, when American forces scored a smashing victory against the British at King's Mountain, N.C., after a spring and summer of continued defeat. Despite their setback at King's Mountain, the British were by no means defeated in the south. Their cause received further assistance early in 1781, when Benedict Arnold took Richmond, Va., with his Loyalist American Legion. In September 1781 Arnold capped his success in Virginia by an attack on his home state, where he leveled the privateering port of New London, Conn.

*In New Jersey, James Moody continued to stage attacks on the state's villages and to spy on the activities of Washington's army. His most daring plan was undoubtedly that to steal the papers of the Continental Congress, an exploit he abandoned when he learned the plot had been discovered by the Americans. His brother John was captured in the attempt and executed as a spy in November 1781. Moody, heartsick over the execution of his brother, sailed for England; he remained there until 1786, when he settled in Nova Scotia.*

*Although an exile from his native land,*

*Moody was apparently more content than his fellow exile, Benedict Arnold. Anxious to escape from Washington's would-be assassins and kidnappers, Arnold sailed for England on Dec. 15, 1781. Distrusted and ignored by the British ministry, Arnold settled briefly in St. John's, New Brunswick, and then returned to England, where he died on June 14, 1801.*

1. Refer to *Lt. James Moody's Narrative of his Exertions and Sufferings* (New York: 1968), 25.

2. See WL to George Washington, Oct. 7, 1780.

## From Henry Brockholst Livingston

Madrid 12 July 80

My dear Sir,

I know not what has been the fate of the Letters I have already had the Pleasure of writing to you, not having had a line from America since our departure. I rather Judge that but few, if any, have reached you. We are one hundred leagues from the Sea, & of course seldom hear in time of any Ships destined to America, and when we do 'tis one hundred chances to one if any Letter arrives safe to the Sea-ports by the common conveyance of the Posts & in a Country like this,<sup>1</sup> where travelling is so immensely disagreeable,<sup>2</sup> private opportunities, rarely offer. This however shall not deter me from sending you my congratulations on the birth of your Spanish GrandChild.<sup>3</sup> I fear your Persippeney Grandson has so monopolised the Affections of his Grandpapa that his sister at more than three thousand miles off will stand but little chance for her share.<sup>4</sup> Mrs. Jay is well & bids fair to continue so.

I dare say you are all pleasing yourselves with the hopes of very soon hearing good news from Spain. I wish it was in my power to encourage these hopes. This Court seem disposed to give us nothing but professions. They have suffered Mr. Jay to accept Bills drawn on him by Congress for about 12,000 dollars & that with Reluctance.<sup>5</sup> They insist, if they enter into treaty with us, on the Navigation of the Missisipi. You may be sure our misfortune to the Southward will not make them abate in their demands.<sup>6</sup> Mr. Jay is not yet acknowledged. They do not seem to wish to entangle themselves with us.<sup>7</sup> The Nation is sick of the war. Their resources are already nearly exhausted. They are obliged to borrow money, altho' they have plenty of in the Indies but dare not draw it home at present. Their commerce is almost ruined by British Cruizers.

They consider our affairs as in a very bad plight, & wish much for peace. Some overtures were made for this purpose by England thro' Sir John Dalrymple who was here in April. Since his departure has arrived another British Agent Mr. Cumberland.<sup>8</sup> He is constantly at Court & about the Ministers. And his Lady & two daughters are much caressed by the first families here—& will perhaps be the most successful Negotiators at a Court where beauty is rare of which these Ladies possess no small share. Mr. Cumberland has taken A house for six months. I know not what his proposals have been.<sup>9</sup> Those of Dalrymple I have a copy of, but they are too lengthy to send. He proposed, to use his own words—Un grand traité de Confederation entre la France, L'Espagne, Le Portugal, & l'Angleterre qui devoit avoir trois objets—Le Premiere Une garantie mutuelle entre ces quatre Puissances, de leurs possessions dans l'Amerique & dans les deux Indes avec une provision qu'une guerre en Europe ne seroit jamais une guerre dans ces remotes regions. Le second objet etoit a donner une participation du commerce de l'Amerique a la France, l'Espagne & le Portugal. Le troisieme objet etoit—L'Ajustement des privilege contestes des Americains sur des principes justes & honorables pour eux."<sup>10</sup>

He dwelt much on these three objects—& endeavoured to work on the fears of the Spaniards by shewing how dangerous America Independant would be to their possessions in the West. I leave you to make your own Comments on this proposed confederation. I wish we had established a Cypher between us at parting. I should then have made You acquainted with many Things I dare not commit to writing.<sup>11</sup> If the Spaniards do not receive some very good news in the course of this Campaign they will be much discouraged. I hope Ternay<sup>12</sup> may do something clever to keep up the Spirits of the French, who are still stanch, tho' they do not like the fate of Charlestown. Indeed from what I have seen & heard since our arrival in Europe I am more than ever persuaded that America must trust to her own Exertions more than to the Professions or Alliance of any Power on this side the water. Tho' to do the French Justice they have really behaved cleverly. There are now in the Bay of Cadiz 39 Ships of the Line, Spanish & French. They are on the Point of sailing. If they & Gearey meet there will be warm work.<sup>13</sup>

Mr. Jay & myself went yesterday to a Bull-fight which is almost the only diversion this town affords—& a cruel one it is. I will not shock you with a description of it. Except the Gladiators I never heard of any

thing more inhuman. In the morning one of the knights who fought on horse-back was killed & two wounded—this was something very uncommon, as the men very seldom get much hurt. But the horses which are torn to pieces by the Bull, & the tedious tormenting death of the Bulls themselves is a most shocking part of the Entertainment. What surprized me most was the pleasure the Spanish Ladies received from the death of the poor Animals. Indeed unless a great many horses are killed they call it a very poor feast. The Activity & Strenght shewn by the fighters is really surprising. The danger they put themselves into is still more so. I have seen a Man hopped over a fence 5 or 6 feet in height on the Bulls horns, return to the fight again in an Instant as if nothing had happened to him.

Besides these Bull-fights, they have a Comedy every evening. But as I do not know enough of the Language to understand the Actors I have not derived much pleasure from any I have yet seen. The Devil has a great Part in their Comedies. I have been in one shop where there were more than 3,000 comedies of different kinds to be sold, & I have been told by an Abby here that above 500 of these are now actually in vogue & represented on the two theatres in this City. I am dear Sir Yours etc.

HBL

ALS, NN.

1. There is no extant letter from WL to Brockholst Livingston written in October 1779, the month of the latter's departure for Spain. For previous correspondence from Brockholst see his letter to WL, May 5, 1780, 3:373–75. The Jay party arrived in Madrid on Apr. 4, 1780, and occupied a house on San Mateo Street. WL had mistakenly been informed the Jays arrived in Madrid on June 28, 1780. Refer to William C. Houston to WL, July 12, 1780 (NN).

2. For Brockholst's description of travel conditions in Spain see Henry Brockholst Livingston to WL, Mar. 21, 1780, 3:344–45.

3. A daughter, Susan, was born on July 9; the child died August 4. Refer to Sarah Livingston Jay to Susannah French Livingston, Aug. 28, 1780 (Morris, *Unpublished Papers of John Jay*, 1:709–10), and to John Jay to WL, July 14, 1780 (NN).

4. Peter Augustus Jay had remained with his grandparents at their farm in Parsippany while his parents were in Europe. See Tench Tilghman to WL, June 14, 1780, 3:434.

5. Faced with the crushing expense of the war, Congress passed on to Jay for Spanish reimbursement more than \$100,000 in bills and obligations in anticipation of successful negotiations with Spain for financial support for America's cause. The Spanish court refused to assume most of the obligations and on Sept. 13, 1780, Jay was informed that Spain would not permit payment of any bills other than those already accepted, a total of \$14,000.

6. Charleston, besieged by the British from Mar. 29, 1780, capitulated on May 12, 1780, when Gen. Benjamin Lincoln surrendered to Sir Henry Clinton. The British commander returned to New York on June 5 with a third of the army and left Lt. Gen. Charles Lord Cornwallis in command of southern military forces. See WL to Samuel Huntington, June 20, 1780, 3:436, n. 2, and WL to Joseph Reed, June 11, 1780, 3:433, n. 2. American forces that remained active in the South were commanded by Horatio Gates, commissioned by Congress as commander of the southern department on June 13, 1780 (*JCC*, 17:508).

7. Though at war with Britain, the Spanish were nevertheless negotiating with the British as well as with the Americans, hoping to secure advantages whatever might be the end result of the American Revolution. Fearing the precedent of granting colonies independence, Spain preferred to come to terms with the British on condition that Spain would receive Gibraltar and West Florida. Spain also advocated dominion status for America within the British Empire. This would preserve the dignity of France, Spain's ally, whose commitment to America was already explicit. In the event that negotiations with Britain fell through, the Spanish Court was prepared to continue the war, allying with America on condition that Spain receive complete control over the rights of navigation on the Mississippi River and Gulf of Mexico.

8. Richard Cumberland.

9. Cumberland was empowered by London to offer terms of reconciliation that were completely unacceptable to Spain. Great Britain refused to consider surrendering Gibraltar or Minorca, nor would they negotiate a treaty with America and France. The terms of reconciliation that Cumberland carried to Spain provided for the restoration of Spanish conquests in Europe and America in return for pledges from Spain to refrain from supporting Britain's former colonies.

10. Translation follows: "A grand treaty of Confederation between France, Spain, Portugal, and England which would have three objectives. The first, a mutual guarantee among the four powers of their possessions in America and in the two Indies with a provision that a war in Europe should never become a war in the remote regions. The second objective would give a share of American commerce to France, Spain, and Portugal. The third objective—the adjustment of the contested privileges of the Americans based on just and honorable principles for all." Though he was an intimate of many in the British government, there is no evidence to suggest that Dalrymple's initiative was authorized by any British ministry.

11. Interception of mail on land proved to be such a severe problem that Jay would send letters with his personal secretary to the Spanish coast to await the arrival of American ships. See Brockholst's previous complaint about mail interception in his letter of Feb. 23, 1780, 3:305.

12. Charles Louis d'Arsac Ternay.

13. Admiral Francis Geary.

## From John Lawrence Livingston

Philadelphia July 12th. 1780

Dear Pappa

I have the pleasure to inform you that Congress have just received accounts of Mr. & Mrs. Jays safe arrival at their own house in Madrid on the 28 of April<sup>1</sup> & I am apt to think you have not had any letters of so late a date therefore take this opportunity to inform you of it. Since I arrived at this place<sup>2</sup> I have had the Intermitting Fever every other day which has weakened me very much, last Evening Capt. Young<sup>3</sup> advised me to come ashore till I had recovered, as I could not have anything comfortable on board I took his advice and got Bark of the Doctor belonging to the Ship & came to Mrs. Gibbon's who is very kind & glad to be of service to me on account of the great regard She has for you.

Mr. Lewis<sup>4</sup> who is one of the board of Admiralty tells me he is in hourly expectation of Dean & Trumble Frigates which are on their way from Boston, and as soon as they arrive the Saratoga will Sail under their Convoy.<sup>5</sup>

You wrote to Colonel Dirrick<sup>6</sup> to pay me 656 Dollars which he borrowed of you at Trenton, I waited upon him with your letter after reading it he said you had made a mistake, as he had borrowed but 240 Dollars, as I suppose you have made a Memorandum of it you will know *where* the mistake lies, if in him, you can let me know it & I will wait upon him for that purpose.

I am very glad to *hear* that the Black horse is found & if ever I get him in my possession again I shall know better in what way to serve him.<sup>7</sup>

I have not heard a syllable from any of the family since my departure, which I Consider very forgetful as they all promised me to write. Please to kiss Peter for me and tell him I saw his Uncle Sir James Jay & he enquired about all the family, in particular excepting him, which I would have him remember when he goes to Fish-Kill.<sup>8</sup> With my love to Mamma & all the family I remain your ever dutiful Son

JOHN L. LIVINGSTON

ALS, NN.

1. On July 10 Congress read in a May 3 letter from the firm of Gardoqui and Sons that John Jay was well. This information was conveyed to WL by William C. Houston on July 12, 1780. Refer to William C. Houston to WL (NN) and James Lowell to John Jay, July 10, 1780 (Burnett, *Letters*, 5:259; *JCC* 17:595).

2. John Lawrence Livingston, in Philadelphia, had signed on as a midshipman aboard the *Saratoga*. See WL to Robert R. Livingston, WL to Francis Lewis, WL to Robert Morris, and WL to Mrs. Gibbons, all dated Apr. 19, 1780, 3:355–56, 358, 361–63.

3. John Young.

4. Francis Lewis.

5. The *Deane* and *Trumbull* had still not arrived in port by July 26, when Congress, noting that the frigates were expected the following week, placed them and the *Saratoga* under the command of George Washington to be employed in cooperation with the French fleet commanded by Admiral the Chevalier de Ternay (*JCC*, 17:669–70).

6. Col. Jacob G. Diriks.

7. While John Lawrence Livingston was traveling to Philadelphia his horse had escaped from pasture the night of June 26. Refer to John L. Livingston to WL, June 28, 1780 (NN).

8. Fishkill, N.Y., was the wartime residence of Peter Augustus Jay's paternal grandparents, Peter and Mary Anna Jay.

### From Philip Schuyler and Nathaniel Peabody

Preakness State of New Jersey July 13 1780

Sir

We do ourselves the honor to inclose your Excellency copy of a letter of this date, from the Commander in Chief.<sup>1</sup> You Sir, are so fully impressed with the necessity of improving every moment to promote the great object of the present Campaign, It will be needless to aduce any arguments in support of the sentiments contained in the Generals Letter. Permit us only to observe that in proportion as any state is deficient in the number of men and Quantum of supplies for the army, our prospect of success will be deminished, and should unhappily your state rely that the exertion of other states will be competent to the business, and the same opinion entertained by others, It is evident that disgrace and ruin must be the portion of this Country. Persuaded that your feelings will revolt at the mere Idea, we rely with confidence that not a moments time will be lost, in fulfilling the engagements of your state,<sup>2</sup> and in a perfect Compliance with the requisitions of this Committee, as specified in former applications for any extra supplies or services.

Your Excellency will not conclude us too importunate in the repeated reiterations on this important subject, as we are convinced that the occasion will Justify us in this address. We have the honor to be With great respect & Esteem Your Excellency's Most Obedient Humble Servants

PH: SCHUYLER  
NATH PEABODY

ALS, NN.

1. George Washington informed the Committee of Cooperation that the French fleet was off the Chesapeake. Washington complained to the committee of the paucity of troops and supplies. Refer to George Washington to Committee of Cooperation, July 13, 1780 (Fitzpatrick, *Writings of Washington*, 19: 165–66).

2. On June 14, 1780, the New Jersey Assembly passed "An Act to compleat 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," which provided for the raising of 624 men for the Continental army (*Acts* [May 24–June 19, 1780], pp. 105–6).

### To Colonels of the New Jersey Militia

Prackaness 17 July 1780

Sir

You are to call out as many Classes of your Regiment not exceeding four as will produce thirty three men, & detach them with one Captain *Ensign* so as to rendezvous at Morris Town by the first of August well armed and equipped for the field in the best manner Circumstances will admit, there to wait the farther orders of his Excellency General Washington, & to continue in service for one month unless sooner discharged, & to relieve them at the Expiration of the month until the Militia called out on their Service shall be dismissed by General Washington or the Commander in Chief of this State.<sup>1</sup>

General Washington would have wished to have the Militia out by the 25 of this month, but in Consideration of the approach of Harvest, he is willing to postpone the time of their rendezvous as long as possible which is [to] the first of August when it is expected they will punctually appear & have the honour to co-operate in the most essential service of their Country, & absolutely necessary to ensure the Liberties & Independence of America. The Men are to march to Morris Town<sup>2</sup> with

[deys] division where they will be [divid]ed by the Commissary of the Army.

You will use the utmost dispatch in compleating your Compliment of the Quota of our men for the Service of the united States, & also your compliment of men for the State Regiment; & sending them forward as the Exigency of affairs admits of no delay, but requires all possible expedition & alacrity.

ADf, NN.

1. The Privy Council on July 17, 1780, advised WL to call out 945 privates to be formed into two regiments of six companies each. The Privy Council established quotas for each county (*NJA* [Privy Council], 3d ser., 6:161–62). The Council acted after WL submitted a letter from Washington and the Committee of Congress requesting the call-up. See Philip Schuyler and Nathaniel Peabody to WL, July 13, 1780. Washington originally wanted the militia to rendezvous at Morristown on July 15. Refer to George Washington to WL, June 2, 1780 (Fitzpatrick, *Writings of Washington*, 18:468–70). Washington then decided that July 25 would be acceptable. Refer to George Washington, Circular to the States, June 30, 1780 (Fitzpatrick, *Writings of Washington*, 19:104–5). Difficulty in raising and provisioning the militia was perennial. See for instance WL to Hugh Mercer, Aug. 22, 1776, WL to Hugh Mercer, Aug. 23, 1776, and WL to Samuel Tucker, Aug. 23, 1776, all in 1:122, 123, 124.

2. For Livingston's problems in calling out the militia in recent months, see William Livingston to Aaron Hankinson, May 29, 1780, WL to the Assembly, June 5, 1780, and WL to George Washington, June 19, 1780, all in 3:399–400, 414–15, 435.

### From Jacob Diriks

Philadelphia 20 July 1780

Honorable Sir His Excellency

Your Excellency is paid through your honorable son the 240 dollars, which your Excellency had the kindness to lend me in Trenton.<sup>1</sup> My incivility in not having immediately taken care of my obligation to remit the sum I hope shall not make your Excellency take offence at me, since I was unable to procure the money owed me by the public.

Moreover this shall serve notice to your Excellency that Mr. Laurens has at last arrived here and shall make his way from here to Holland in a continental packet.<sup>2</sup> My hope to be employed by his Excellency has disappeared, because he has given me to understand—with evidence it grieved him to offend me<sup>3</sup>—that he didn't need assistance from my person in Holland and was able to execute his affairs alone.<sup>4</sup> The honorable

Congress has at last passed a resolution, enclosed herewith.<sup>5</sup> The sum, that they grant therein has been spent twice because for six months I had to wait here for it, incurring large expenses. Alas their ingratitude is great but I still remain steadfast, contribute everything to the glorious cause of America, and will not take revenge because of a group of people who have treated me lightly. I wish to submit myself to my destiny though it is hard for me. God, I hope, will support me in this situation, save me—that I and my dear wife shall not be enslaved—from falling into the cruel hands of the enemy; in which case I shall depend on your Excellency's mediation to change the situation. Your Excellency knows my case: should I request from your Excellency a letter for Baron van der Capellen which will be useful and beneficial for me and the country, be assured such use shall be made of it that will please your Excellency. I shall always remain grateful to your Excellency for all services rendered, with you commending me to your highly favorable disposed memory and friendship. I hope to embark in a couple of weeks if nothing special comes in my way, and hope in the meantime to be honored by a letter from your Excellency, commending your Excellency in the protection of the most high. I have the honor with sincere esteem and admiration to consider myself Honorable Sir His Excellency's most humble servant.

J. G. DIRIKS

P.S. I have learned that Mr. Jay should reside at the French Court in which case your Excellency would want to send a few letters to him with me.<sup>6</sup> I shall be pleased to deliver them and so return by way of France.

ALS, NN. Translation.

1. See John Lawrence Livingston to WL, July 12, 1780.
2. Congress had named Henry Laurens as commissioner to negotiate a loan and treaties of amity and commerce with the United Provinces. See WL to Baron van der Capellen, Mar. 15, 1780 (*JCC*, 15:1196–98).
3. Diriks's letter was written in archaic Dutch; he used French intermittently as well. The letter is thus idiosyncratic, and so the translation must be as well.
4. Diriks had gone to Philadelphia hoping to find employment from Congress, possibly as an aide to Henry Laurens in the latter's mission to the United Provinces. For WL's efforts to help Diriks find employment, as well as the involvement of both men in establishing relations between America and the Dutch republic, see WL to William C. Houston, May 24, 1780, 3:392–94 (*JCC*, 15:1417).
5. The resolution stated: "That Colonel Diriks have leave of absence, agreeably to his

request, til the farther order of Congress: That a bill of exchange of Four hundred and Fourty Four dollars, drawn on the honorable Henry Laurens, be advanced to the said Lieutenant Colonel Diriks, on account of his pay. That the part of his petition, which respects a commission in the line, be referred to the Board of War.”

In his enclosure to WL, Diriks did not include the last sentence of the Congressional resolve. On July 18 the resolve was altered. In lieu of the bill drawn on Henry Laurens, two bills of exchange, each for \$225, were drawn on John Jay (*JCC*, 17:608, 639).

6. John Jay did not go to Paris until the spring of 1782. For recent WL correspondence with the Jay mission to Spain see Henry Brockholst Livingston to WL, July 12, 1780.

### From Nathanael Greene

Camp Precaness July 20th. 1780

Sir,

The honorable Committee of Congress having required 6857 bushels of grain forage to be delivered monthly at such places as I should desire,<sup>1</sup> you will please to order the same to be lodged at Princeton & Morris Town in such proportions as may be convenient, to remain subject to my orders, [those] of Col. Biddle Com. General of Forage or Moore Furman Esquire DQM General of the State. I am Sir Your most Obedient Servant

NATH GREEN

ALS, NN.

1. The quota of grain had been established by the Committee of Congress. See WL to the Assembly, June 7, 1780, 3:421–22, and Philip Schuyler and Nathaniel Peabody to WL, July 13, 1780 (Fitzpatrick, *Writings of Washington*, 18:50–51, 138, 152–56, 455–57).

### From Joanna Halsted

Eliz Town July 22 [1780]

your Excellencys

Letter to Colonel Dayton<sup>1</sup> Respecting the sending supplys to my Husband Convince me there is been some misrepresentation to your Daughter, Mr. Halsted is not Detained on Account of Debt<sup>2</sup>—tho he is Exceeding Anxious to have it in his Power to Discharge his Debts, he has not the Least Prospects that will Expediate his Return. I thought it Necessary to undeceive your Excellency for two Reasons, it might be

thought I had Recourse to fallacy to Accomplish the Purpose of sending the snuff. That Complyd with, there would nothing further be thought Requisite to affect his Return Wich I Beseech your Excellency attention to, its an aggravation to see People Dayly coming out by Exchange & Paroles who have been Captured months since he has, who Perhaps had not greater right to Expect favors from ther Country than Mr. Halsted, at Lest his zeal & Warm Attachment to his Country has rendered him Obnoxious to the Enemy<sup>3</sup> which with Due Submission I think makes it necessary to put the Man offerd in Exchange in a simmelar situation (Close confinement) wich never has been done untill that is the Case can have no hopes of an exchang being attended to on that Side.<sup>4</sup> Your Excellency has my sincear thankx for Permission to send snuff, & will Pardon my importunity if I again intreat that something may be done that will be Productive of Mr. Halsteds Return. Your Excellencys Humble Servant

JOANNA HALSTED

ALS, NN.

1. Col. Elias Dayton. Letter not found.

2. Matthias Halsted had been captured by the British and was confined in New York City (*NJA*, 2d ser., 4:252, 258, 282). For details of his confinement and his efforts to procure better treatment, refer to Matthias Halsted and Robert Neil to WL, Apr. 24, 1780 (NN). For Mrs. Halsted's previous attempt to secure the parole or exchange of her husband, see Joanna Halsted to WL, May 25, 1780, 3:394–95.

3. Halsted had served as justice of the peace in charge of confiscating Loyalist estates.

4. To procure better treatment for American prisoners of war, Halsted and Robert Neil in their Apr. 24 letter to WL had urged him to retaliate by mistreating British prisoners. It was believed such retaliation would make the British more amenable to the parole or exchange of prisoners. See WL to Robert Ogden, Jr., May 8, 1780, 3:377. Halsted also suggested several British officers for whom he could be paroled. The Halsted case was complicated. Although Halsted had previously held military rank, he was a civilian at the time of his capture and it was contrary to practice to parole or exchange officers for civilians. Robert Neil, Halsted's fellow prisoner and also a civilian, was, however, paroled for a British militia officer. For the most recent correspondence on the military and civilian prisoner issue, see WL to Abraham Skinner, June 5, 1780, 3:416.

From Philip Schuyler, John Mathews,  
and Nathaniel Peabody

Camp Preakness July 23, 1780

Sir

In your Excellency's letter of the 28th Ultimo informing us of what had been done by the Legislature of your State.<sup>1</sup> Among other acts<sup>2</sup> there in enumerated is one for procuring the Teams required, not only those to be annexed to the Army, but also, such others as were necessary for the transportation service. We were in hopes those acts would have been as vigorously carried into execution, as the exigency of our affairs at present demanded, but on a late application made by the Quarter Master Generals<sup>3</sup> in consequence of this Law for procuring a number of teams on a very urgent occasion, his utmost efforts to this end were defeated. We think it our duty to make this communication to your Excellency as the supreme executive authority of this State, that an enquiry may speedily be made into the cause of the failure.<sup>4</sup> Your Excellency will at once see the pernicious consequences resulting from such neglect, without any Comment on our part, and we flatter ourselves that an enquiry will be productive of such beneficial consequences, as to prevent the like embarrassments in future.

The Garrison at West Point is rapidly increasing and must soon be in want of flour, unless the QM General can be immediately furnished with the means of transporting the flour from Sussex County to warwick in the State of New York, where teams will be ready to forward it to West Point.<sup>5</sup> We have the honor to be with great respect Your Excellency's Most Obedient Humble Servants

PH: SCHUYLER  
JNO. MATHEWS  
NATH. PEABODY

LS, NN.

1. See WL to Samuel Huntington, June 28, 1780, 3:439–40. WL had sent the committee a copy of "An Act to enlarge the Power of the Contractors of the Several Counties in this State for a limited Time," which empowered contractors to hire or purchase each county's respective quota of horses, teams, and drivers. The act, passed on June 19, 1780,

recommended that magistrates be given the power to order the impressment of horse teams (*General Assembly* [May 10–June 19, 1780], 251, 252).

2. WL also transmitted to the committee 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 by the legislature on June 7, 1780 (*Acts* [May 24–June 19, 1780], 86–92). The purpose of this act was to complete the three continental army regiments in New Jersey.

3. Nathanael Greene.

4. WL believed people were unwilling to sell draft animals because they were needed for harvesting. Administrative inefficiency in the quartermaster general’s office also hindered the implementation of the committee’s orders. See Sidney Berry to Nathanael Greene, Feb. 7, 1780, and Nathanael Greene to George Washington, DLC:GW, 2: 1247–48. Congress attempted to improve efficiency by appointing deputy quartermaster generals for each state (*JCC*, 17:615–35).

5. On July 22 Nathanael Greene informed Washington that unguarded stores in Sussex County were in danger. He asked for teams to move the flour to safety. See Greene to Washington, DLC:GW, 2:1415. On July 22, 1780, Washington informed the Committee of Congress that the states must provide teams to transport the supplies (Fitzpatrick, *Writings of Washington*, 19:234–36).

## From William MacLeod

Elizabeth Town 23rd July 1780

Sir

Having received your Excellencie’s Permission about 4 weeks ago, for myself, family, and Effects to move to New york,<sup>1</sup> I have ever since been applying to the Commissaries of prisoners here in order to a vaile myself of that permission, but as yet to no purpose as they will not fix upon any person in Exchange for me without first acquainting his Excellencie the General<sup>2</sup> there with. Besides this disappointment all my Catle are taken from me by Colonel Jacques and Daniel Marsh Consisting of 3 milk Cows, one Ox, a heifer, and a horse which were the principall and only Suport of my family in Short all that was without doors I have lost, and some within. I have now to beg the favour that Your Excellence will please to permitt me to remove my family to Staten Island and leave them there in the best manner I can, then to return to my Parole here if my Exchange is not Effected by that time.<sup>3</sup> Sir; as to your information respecting my imprudent behaviour relative to the present contest I can assure you it has not the least foundation in truth. I am Sir your Excellencie’s Most Humble Servant

WM. MACLEOD

ALS, NN.

1. No recent pass found. On Nov. 3, 1779, MacLeod had, however, been given permission by WL to move his family to New York. See WL to William MacLeod, Nov. 3, 1779, 3:194–95. MacLeod, on Sept. 10, 1779, applied for permission from George Washington to visit New York to negotiate his pay. Washington referred him to WL on the same day (DLC:GW, 2:1128).

2. On May 18, 1780, MacLeod reapplied to Washington for a passport to go into New York on parole (DLC:GW, 2:1336). On the same date, James Caldwell of Connecticut Farms, N.J., wrote George Washington to request a pass for MacLeod (DLC:GW, 2:1335).

3. Refer to William MacLeod to WL, Aug. 15, 1780 (NN), and William MacLeod to WL, Sept. 13, 1780 (NN), for his request for parole “as a distinguished European.”

## To Philip Schuyler, John Mathews, and Nathaniel Peabody

Preakness 26 July 1780

Gentlemen

I find myself honoured with your Favour of the 23rd<sup>1</sup> and am very sorry to hear that the Efforts of the Quater Master General for procuring a number of Teams in consequence of any Law of this State should be defeated. The Law for that purpose, is, I think, altogether effectual; and if the Magistrates neglect, upon proper application, to carry it into Execution, they are doubtless amenable to the judicial, but not to the *executive* Authority, of the State. The latter would however, upon proper proof of the facts adduced, & the particular Instances specified, think itself obliged to direct a prosecution. Compel it cannot.<sup>2</sup> But to commence an Inquiry into the Cause of the Failure complained of, without the least Specification of the Justices delinquent, or the persons refusing, appears to me like an attempt of rearing an Edifice without a Foundation.

If any of the neglects alluded to, have happened during the time of Harvest, the Cause is easily accounted for.

Whatever is really in the Power of the Executive of this State to facilitate the military operations, will no sooner be pointed out by the honourable committees, than it will engage the closest Attention, and most vigorous Assiduity of him, who, with the greatest respect and most cordial Attachment, has the honour to be Gentlemen Your very humble & most Obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC.

1. For a discussion of New Jersey's difficulties in implementing "An Act to enlarge the Power of the Contractors of the Several Counties in this State for a limited Time," see Philip Schuyler, John Mathews, and Nathaniel Peabody to WL, July 23, 1780.

2. WL's power was limited. The June 19 resolutions of the General Assembly and Legislative Council directing New Jersey magistrates to impress horse teams were only recommendations (*General Assembly* [May 10–June 19, 1780], 251, 252; *Legislative Council* [May 10–Oct. 7, 1780], 107).

### From Samuel Huntington

Philadelphia July 26. 1780

Sir,

Your Excellency will receive enclosed an Act of Congress of the 24. Instant, and a Copy of a Letter from Moore Furman.<sup>1</sup>

By this Act you are requested to give Orders to the State Commissaries to deliver to Mr. Furman such quantities of the public Forage as may be necessary for the Purposes therein mentioned. I have the Honour to be with the highest Respect your Excellency's most obedient Servant

SAM. HUNTINGTON

ALS, NN.

1. The congressional resolve directed the quartermaster general to appoint deputies to expedite the collection of forage and transportation of provisions in accordance with recent regulations of the quartermaster's department. This was a response to Deputy Quartermaster Furman's July 12, 1780, letter to the Board of War, now enclosed to WL (*JCC*, 17:643, 653–56; refer to DNA:PCC, 19). For the bureaucratic inefficiency that prompted this action, see Philip Schuyler, John Mathews, and Nathaniel Peabody to WL, July 23, 1780.

### From William Chamberlin

*July 26, 1780.* Chamberlin describes his attempt to comply with WL's order of July 17 to muster the Hunterdon County militia.<sup>1</sup> He was about to march with nearly 100 men when Major Cornelius Stout and other officers informed Chamberlin and the men that they had received separate directives from Generals von Steuben and Dickinson that he was relieved of his command. Chamberlin discussed the matter with Dickinson, who confirmed that the directive had been sent by order of

Governor Livingston and the Privy Council. Chamberlin reports on his continuing conflict with his subordinates, and avers that under the circumstances it was impossible for him to comply with WL's order of July 17.<sup>2</sup> Chamberlin asks that Stout and the others be court-martialed as the only means of instilling discipline in the militia. He apologizes to WL for not presenting this letter in person, but was forced to attend both to his harvest and the muster. He asks WL for orders for his militia unit.

ALS, NN.

1. See WL to Colonels of the New Jersey Militia, July 17, 1780.

2. For background to Chamberlin's controversy with his officers, see Petition from Cornelius Stout, et al., [June 3], 1780, 3:411–13.

### From John Mauritsius Goetschius

[July 29, 1780, New Bridge]

Honoured Sir

I hope your Honour will Pardon me for not writing to your Honour before this it is owing to me being full of Business and my familie so distressed by the Burning of my house Barn and all my Effects by the Enemie.<sup>1</sup> And the men to be under my Command Comming on so slow, that I thought best to wait until I had some men at command according to your Honours appointment before I Informe about My Proceedings.<sup>2</sup>

I Hereby Inform your Honour that I have at Present to Command in Bergen County according to your Honours appointment

from Essex County 1 Lieutenant and 20 Privates Entered July 16.

from Morris's County 1 [ . . . ] and 2[4?] Privates Entered July 16

from ditto 1 Captin 23 Privates Entered July 22

from Essex County 1 Lieutenant and 20 Privates Entered July 16

from Bergen County 1 Captin & Ensign and 24 Privates Entered July 16

from sommerset 1 Lieutenant and 22 Privates Entered July 28.<sup>3</sup>

With those men I have to guard three different Places vis Barbados Newbridge and Closter. The duty is very hard we are oblidge to shift our Quarters every night after 9. o Clock. I have had the misfortune of having two of my men wounded at the Block House Engagement last fryday not Mortal but very Bad.<sup>4</sup> Last saturday night Ensyn Huyler,

from this County with 4 men met the Horse thives at Schralenberg. Killed 2 at the spott, one Mr. Miller and Mr. Kille. formerly belonged to Gerardus Smiths Robbing Party and took 5 of the Best of Horses which were stolen something above or near the Wallkill in York State. Last night I sent an Ensyn to waylay the Horsethives. They met four, fired after them. Thives left a rifle and a Bundle of very valuable Goods of mens and womens Clothing. Nothing More att Present I hope by Divine assistance to shoo my Country and all the world (If I Gett the Quota of men Promised to me by your Honour) that we are Jersey Men and friends to our abused Country I Remain in all Respects with Submission, your dutiful Subject

JOHN MAURITSIUS GOETSCHIUS

ALS, NN.

1. On June 14, 1780, Major Goetschius's farm was pillaged during a series of raids conducted by Loyalists who had crossed from New York in late May and had encamped in the upper part of Bergen Township. For discussion of the military situation in Bergen, refer to John Huyler and Thomas Blanch to WL, May 26/27, 1780 (NN), Thomas Blanch to WL, June 8 and June 18, 1780 (NN), and David Van Bussam, John Huyler, and William Logan to WL, June 9, 1780 (NN).

2. At a June 19 Privy Council meeting Major Samuel Hayes, who had declined, was replaced with Goetschius to the command of a unit ordered in the June 7 "Act to raise and embody, for a limited Time, Six Hundred and Twenty-four Men, for the Defence of the Frontiers of this State." The original Act designated Hayes as the commander of Bergen and Middlesex detachments. The unit was to be stationed in Monmouth (*NJA* [Privy Council], 3d ser., 1: 159; *Acts* [May 24–June 19, 1780], 86–92). For background on the act, see WL to Samuel Huntington, June 28, 1780, 3:439–40.

3. As militia commander in Bergen County, Major Goetschius led 196 men, including three captains, three lieutenants, and two ensigns (*Acts* [May 24–June 19, 1780], 86).

4. The blockhouse was located at Bull's Ferry on the Hudson just north of Bergen. On Thursday, July 20, Washington sent Brig. Gen. Anthony Wayne with Pennsylvania troops, artillery, and dragoons to the blockhouse in an unsuccessful attempt to capture the structure. For the engagement refer to *N. J. Gazette*, July 26, 1780, and George Washington to the President of Congress, July 26, 1780 (Fitzpatrick, *Writings of Washington*, 19: 260–62).

From Robert Morris

Springitsbury, near Philadelphia, July 29th. 1780

Dear Sir

The enclosed letter<sup>1</sup> came to my hands yesterday by means of my Friend Monsieur Mallet,<sup>2</sup> who desires his Compliments with some Ap-

pology for its having been detained here, owing to the Captain who brought it not knowing of several letters that were in his Chest, untill accident discovered them to him, and in one of those from Monsieur Mallets Brother was enclosed this for you at the request of Mr. Jay. I hope it will give you agreeable intelligence, it had a very narrow escape from the Enemy. The arrival of the French Fleet & Troops will I expect give you a respite from those depredations & Ravages which the British Plunderers have so long practised in New Jersey and when the 2d division of our Friends & Allies arrive, we may reasonably hope that some thing decisive may be effected, so as to rescue us entirely out of the hands of the despoilers.<sup>3</sup> Mrs. Morris joins me in respectfull Compliments to all your Family & particularly to our dear Friend Kitty.<sup>4</sup> Your Son keeps much onboard his ship and I fancy will make a dilligent Officer.<sup>5</sup> I am very truly Dear Sir Your Obedient humble Servant

ROBT MORRIS

ALS, NN.

1. Letter not found.
2. Either Peter or Daniel Mallet, merchant brothers who were in partnership with James Lacaze of the Spanish firm Mercy and Lacaze and Fils. Refer to Robert Morris to Lacaze and Mallet, Oct. 19, 1781 (Ferguson, *Papers of Robert Morris*, 3:94).
3. A French expeditionary force had been assembling at Brest since the beginning of the year under the command of Jean Baptiste Donatien de Vimeur, the Comte de Rochambeau. Charles Louis d'Arsac, Chevalier de Ternay, was appointed commodore of the naval escort. The force was split into two detachments. The first one, with 5500 troops guarded by seven ships of the line and four other warships, left Brest May 2 and arrived off Newport, R. I., on July 10. The second detachment of 2500 troops, eagerly awaited by the Americans for much of the rest of the year, could not break out of the British blockade begun June 8 and never left Brest. Refer to William C. Houston to WL, July 12, 1780 (NN).
4. Catharine Livingston.
5. See John Lawrence Livingston to WL, July 12, 1780.

From Henry Lee, Jr.

Easton 30th July 1780

Sir,

The original Establishment of the Army made it equally honourable to hold Commissions in the sixteen or independant Regiments as in the State-Regiments.<sup>1</sup> Under this Establishment military Posts have been accepted.

Much has been the Deficiency in Emolument, and much the Deficiency in Support to the independant Corps. It has hitherto been patiently borne by the Sufferers, because of the Wants of their Country, and the Expectancy of Relief some future Day. At Length the Resolution of Congress appeared, directing the Subjects of each State, Soldiers in the sixteen Regiments, to be considered as Part of the Quota of Troops from their respective States, and to be treated with perfect Equality.<sup>2</sup> Under this Resolve of Congress, I have heretofore claimed, & received in Consequence of the Claim, Supplies of Necessaries for such Officers & Soldiers as belong to the State of *New Jersey* in my Corps.<sup>3</sup> I now beg Leave to present my Claim to my Proportion of Levys.

It is my Opinion, as it is my Wish that your Excellency & Council will coincide with me in Sentiment; that you will be pleased to give me an Order for the Possession of twenty of the new-Levies;<sup>4</sup> or, that you will be pleased to allow me to withdraw the Soldiers now in my Corps Subjects of your State, & to throw them into the Quota of some other People. Be assured, Sir, there is no State, whose Service I conceive more honourable than that of New Jersey, and that the above Request proceeds only from an Earnestness to make those Gentlemen happy whom Fortune has placed under my Command; by proving to them, as they are fully entitled to equal Attention from their Country with the Army in common, so will they receive on Application what is given to others.

I cannot but assure myself of Success, when I review the Grounds of my Request; and know that your Excellency will not injure my Feelings, the Honour of my Officers, and the Fidelity of my Soldiers so much as by your Denial to declare, that we have only a Right to Supplies of Convenience, & not to Supplies creative of military Reputation and public Service. I have the Honour to be, Sir, with the most perfect Respect & Esteem, your Excellency's most obedient humble Servant

HENRY LEE JUNIOR

ALS, NN.

1. The independent regiments mentioned refer to the Dec. 27, 1776, Act of Congress which empowered Washington to raise sixteen battalions of infantry in addition to those soldiers already enlisted through the state quota system in existence since 1775 (*JCC*, 6:1043–46). See WL Order, Jan. 20, 1777, 1:201–202.

2. Lee is referring to a congressional resolution passed on Mar. 15, 1779. See WL to George Washington, Feb. 22, 1780, 3:302.

3. Returns received from Lee by George Washington designated fifty of Lee's men as belonging to New Jersey. See WL to George Washington, Feb. 26, 1780, 3:309-II, n. 5.

4. Lee had tried earlier to secure twenty New Jersey men for his division. See WL to Captain [ . . . ] Armstrong, Feb. 22, 1780, 3:301.

## To Charles Stewart

Morris Town 31 July 1780.

Sir

I have received your Letter of the 29th.<sup>1</sup> As it appears that the Army is under much greater obligations to Mrs. Mackie than the State of New Jersey I think it would be more proper for the officers to apply to his Excellency the General for that Permission which she cannot obtain<sup>2</sup> from Sir your most humble Servant

WIL: LIVINGSTON

P.S. I have so far Lost all Character with the Tories, & am so fully determined never to attempt the regaining it, that their opinion of my *Cruelty* has not the least weight to exort from me a Presedent which I am sure will be attended with consequences fatal to the public.<sup>3</sup>

As the Subject of our Correspondence is a *Woman*, I presume there is no impropriety in making my Postscript longer than my Letter.

ALS, MH.

1. A letter from Charles Stewart dated July 29 enclosed a July 27 letter from Morristown merchant Peter Mackie (or McKay) requesting permission for his wife Elizabeth to visit her father, who was sick in Jamaica, Long Island. Refer to Charles Stewart to WL, July 29, 1780 (NN).

2. WL is referring here to George Washington. For WL's attitude toward the proper manner of obtaining passes, see WL to William White, Apr. 17, 1780, 3:354–55.

3. For WL's reluctance to grant passes see WL to George Washington, May 18, 1780, 3:382. In requesting permission for a pass, Stewart noted that "Mrs. Mackie's relations are Enemies to Our Cause, But she is not accountable for the conduct of others." Refer to Charles Stewart to WL, July 29, 1780 (NN). Mrs. Mackie (nec Elizabeth Ogden) was the daughter of Dr. Jacob Ogden of Jamaica, Long Island, and niece of Loyalist David Ogden (*N. Y. Gazette*, Sept. 10, 1780; Sabine, *Loyalists of the American Revolution*, 2:123–26).

## To George Washington

Morris Town 4 August 1780

Dear Sir

I received your Excellency's Favor of the first Instant<sup>1</sup> yesterday, & the advice of Council being necessary to authorize me to comply with your Requisitions, I lost no Time in summoning one for that purpose. They could not be convened before this day. I have with their consent directed Colonel Seely to march the Militia under his command to Dobbs's Ferry, there to wait your Excellency's orders & to co-operate with the Grand army in the State of New York, should you so direct.

I have directed the several officers commanding the different Detachments of the State Regiment to do the like.

Upon your Excellency's Requisition, I shall call out half the Militia (not being authorized by Law to call out a greater number for the like purpose, unless your Excellency should request a less number.<sup>2</sup> But I must needs confess that I do not believe above a sixth part of those that may be called out, will obey the call: and it is with unspeakable regret that I find we are not like to get above two thirds (if so many) of the 945 that have been ordered to rendezvous at this place.<sup>3</sup> Last Evening Major Growendyck<sup>4</sup> marched for Dobbs's Ferry with about 250, & this day none are come. The Western Counties seem to act as if they were determined to throw the whole Burden of the war upon this part of the State, which is so exposed to the Enemy that a suitable number of Militia (especially taking in the Account our good Friends the Tories) ought to be left in the State. I have the honour to be with the greatest Esteem, & the most ardent wishes for your Success Dear Sir Your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, Aug. 1, 1780 (NN). Washington had informed WL of British plans to attack the French at Rhode Island and of his intention to relieve the pressure on the French by an attack on New York. He asked WL to order out the militia and the state regiments, requisitioned by the Committee of Congress, to meet the general at Dobbs Ferry. Washington suggested that the entire state militia be held in readiness.

2. The Privy Council had authorized WL to call out up to half the militia. On August 9 the *N. J. Gazette* published a notice from WL ordering the militia to "hold itself in readiness to march on the shortest notice" (*NJA* [Privy Council], 3d ser., 1:165–66).

3. Washington and Congress had requested 945 men from New Jersey in their June 2, 1780, appeal to all states for additional troops and supplies. For a discussion of New Jersey's difficulty in fulfilling Washington's request, see WL to the Colonels of the New Jersey Militia, July 17, 1780, and refer to George Washington to WL, Aug. 1, 1780 (NN).

4. Samuel Growendyck.

### From Catharine Lawrence

Manor Livingston Aug. 6, 1780

Dear Brother

I humbly ask your advise, laying my Salvation before you as a brother candidly. I have now been under the Protection of a kind brother for above 3 years.<sup>1</sup> Cannot expect he will intirely maintain me he haveing a Very Extensive famely and still increasing. Pleasing, yet makes me uneasy when or where to go, have not recived any mony since August 76 which is Expended long ago, besides parted of my China, Bedding, Some of my best Clothing, Laces, etc., etc., these are almost allso Expended and my depence on Brother Phillip & Henry gone,<sup>2</sup> and more then all; my friend & adviser,<sup>3</sup> who left me in good circumstance, tho could not Possible gaurd against this long war, my only Expectancy is at or from the Enemy, have very great ofers & Promises from New York in regard to House rent, & they write me sundry times by several relatives at that place they say it will be greatly for my intrests to come in and recive rents due.<sup>4</sup> I find myself inclined to go and take from them all mine, Provided I can get a recommendation from my Brother to Gov. Clinton for a Permission for a time he will Please to appoint, with a Protection, when to return to this State if thought proper, to advise a flagg direct from Poughkeepsie will be most convenient to me,<sup>5</sup> tho shall do nothing without the assistance, & best Advise of my friends, whom I have indeavour'd to Oblige for Above 16 years & yet hope,<sup>6</sup> tho at present Indigence trust with kind care will recover to Acknowledge present & Past favours from a brother to Your Affectionate sister

CATHARINE LAWRENCE

My best compliments to Sister and Nieces

ALS, NN.

1. Catharine Lawrence was living at this time with her brother Col. Robert Livingston, Jr., third lord of Livingston Manor.
2. Philip Livingston had died at York, Pa., June 12, 1778; Henry Livingston had died in 1772.
3. Catharine had married New York City merchant John Lawrence on Apr. 18, 1759. Lawrence died on Aug. 5, 1764.
4. Lawrence left Catharine a dwelling house with outbuildings near Coenties Market, now No. 67 1/2–69 Pearl Street; a coach house lot at No. 35 or 37 Stone Street; a narrow lane which is now No. 34 Stone Street; as well as household furnishings, chariot and horses, several slaves, and a substantial amount of money (New-York Historical Society, *Collections: Abstract of Wills—Liber 24*, 345–47).
5. For WL on flag boat passages see WL to George Washington, Dec. 21, 1778, 2:518–20.
6. Catharine Lawrence is referring to her sixteen years of widowhood.

### From Samuel Forman

Monmouth County August 6; 1780

Your Excellency's answer to the Monmouth Petition say if you stand in need of men in the place of the Militia ordered from Monmouth to Morris, the Governor and Privy Council will order them from Other County's, it is not Possible for the Inhabitants of this County to prevent the frequent ravages of the enemy.<sup>1</sup> They have been in Shrewsbury twice Since that Petition. They followed the rear of my Scout not exceeding an half an hours march. I wish the Legislature Could be Sensible of the Difficulty This County Labours under, that Cannot be, short of their coming to the Frontier part of it. Persons at a Distance cannot have them perfect Ideas, as when prospict is in view.<sup>2</sup>

The Governor & his Privy Council may give what orders they think proper but 500 men will not be equal to the Task.

In the two Scirmishings of Last week—our men retook the horses that the Enemy took from the Neighbourhood of Monmouth Court house and wounded one Negro—the one of yesterday, the enemy got of their plunder. Lost one man Killed & one Deserted that came from N. York Last wednesday. He is a person very Ignorant, can give no Account worth relating to your Excellency. We had not one, Either Killed or Wounded in either action.

This comes by Lieut. Isaac Imlay with the men from my Regt. I am your Excellency's Obedient Servant

SAMUEL FORMAN

ALS, NN.

1. The Monmouth petition and WL's response not found. The petition may be one noted as received by the General Assembly on June 9, 1780, setting forth the numerous attacks on Monmouth County by refugees and requesting that militia be sent to relieve that county (*General Assembly* [May 10–June 19, 1780], 229). See also David Forman's letter to WL, June 9, 1780, 3:423. For previous appeals for aid by the inhabitants of Monmouth see WL to Asher Holmes, Mar. 21, 1780, 3:343–44.

2. In June an attempt had been made in the assembly to empower the executive of the state to impose martial law in Monmouth County and in a limited number of other trouble spots. The measure did not pass (*General Assembly* [May 10–June 19, 1780], 243–45).

## From Henry Brockholst Livingston

Madrid 8th. August 1780

My dear Sir,

I refer you to the enclosed Letter<sup>1</sup> for family news, which indeed is the only Intelligence a man may communicate in this Country with any kind of safety. Things here remain much as when I wrote you last month. Mr. Jay is not acknowledged. The Court are undecided. They make many Professions, but do little or nothing.<sup>2</sup> The successor of Mr. Mirailles is preparing for his voyage to America.<sup>3</sup> He will be a good opportunity to write particularly by. The Count D'Estaing is just arrived at this Court. It is thought he is to have the command of the Combined fleets at Cadiz.<sup>4</sup> I am Dear Sir Your dutiful Son

HBL

ALS, NN.

1. Letter not found.

2. For an explanation of the state of negotiations between Spain and America, see Henry Brockholst Livingston to WL, July 12, 1780.

3. Don Diego de Gardoqui.

4. Count d'Estaing had been sent to Spain to present the French proposal that a combined French and Spanish fleet, under d'Estaing's command, escort an incoming trans-Atlantic convoy from Cádiz to Brest. Spain, however, declined to participate and the French sailed alone.

## From Samuel Ogden

Cumberland County August 11th 1780

Worthy Sir,

Whereas I have the Command of the first Battalion in this County, I take this Opportunity to Inform your Excellency of my Proceedings upon a late Act of Assembly Entitled an Act to Embody for a limited time 624 of the Militia of this State of New Jersey for the defence of the frontiers thereof.<sup>1</sup> Immediately after Receiving the said Act myself with the other Field Officers of the two Battalions of this County held a meeting at the place appointed by said Act & divided the Quotas of Each Battalion Agreeable to Directions therein contained, after which my Battalion was immediately Classed.<sup>2</sup> The Classes notified & a meeting called of the different persons Composing said Classes at which meetings said Act was Published & the Inhabitants Requested to furnish their men for each Class. Otherwise a Substitute would be hired on some terms but no Class having Complied therewith in [ . . . ] the time mentioned in the said Act, I called a meeting of the Officers of the different Companies therof in order to procure Substitutes for the different Classes at which meeting we agreed to make tryal for the space of four days at the Expiration of which I called another meeting of said Officers who informed me that they had procured no men & that the men Unanimously held their Services for said Campaign at £1000 which I was sensible was the Case by makeing tryal myself at the same time, but we being Extreably unwilling that our County should fail in contributing our small Assistance to defend our Civil & Religious Rights, which is the BirthRight of Heaven agreed to make tryal for another week which was done but all to no purpose [ . . . ] men could not be procured on favourable terms than £1000 per man & we being fully Sensible that by the frowns of a Righteous God on our County for two Seasons past in Cuting of our Crops by frost & Drought & threatning to send a Scarcity of Bread amongst us together with paying our taxes we were by no means able to Raise near that Sum of Money—it is the Opinion of many of the principal men in our Battalion that we do not at present possess so much money. Sir I am Extreably sorry that we are

not able to Comply with your Request hoping that your Excellency is sensible that we would at all Times be Obedient to every Call, Chearfully Comply with every Order as becomes Subjects Claiming the Civil & Religious Priviliges of their Country. I am Sir Your Excellencies most Obedient, most Humble Servant

SAMUEL OGDEN

ALS, NN.

1. For background on this act passed June 7, 1780, see WL to George Washington, June 19, 1780, and WL to Samuel Huntington, June 28, 1780, 3:439–40.

2. According to the act the colonel of each militia regiment was to create lists of all taxable inhabitants within the locality of each company and to conscript officers and men in proportion to that number from each locality for equitable distribution of enlistments among the regiments. The commanding officers of the several companies composing each regiment were then to divide the company lists of potential conscripts into classes equal to the number of noncommissioned officers and privates required from each county. Each class was to provide a man within four days or be fined the cost of procuring and paying a substitute. Those who failed to pay the costs of a substitute were to be imprisoned “until the said assessment and costs are fully paid and discharged” (*Acts* [May 24–June 19, 1780], 86–92).

### From Moore Furman

Trenton Aug. 11. 1780

Sir

Having represented my Circumstances Respecting the want of Forage and other Necessaries to Enable me to do the Business necessary for the Army,<sup>1</sup> I yesterday received the Directions from his Excellency General Washington and the Honorable Committee of Congress at Camp of which the Inclosed is Coppies.<sup>2</sup>

I Beg your Excellency to believe that I do not wish to do a Single Act Contrary to the Laws of the State but where *necessity* Calls for it and therefore give this information lest any thing may be misrepresented.<sup>3</sup>

Shall press the Contractors to furnish every thing in their power and only endeavor to Supply Deficiencies. I am your Excellencies most Obedient Humble Servant

M. FURMAN

ALS, NN.

1. Refer to Moore Furman to WL, July 12, 1780 (MHi). Furman also had written to Congress in regard to the same issue (*JCC*, 17:643, 653, 655).

2. The enclosures, dated July 30, 1780, were separate letters from Washington and the Committee of Congress advising Furman to impress the needed forage and supplies and the teams to transport them for use by the army.

3. The New Jersey "Act to enlarge the Power of the Contractors of the several Counties in this State for a limited time" empowered only justices of the peace to issue warrants for the forcible seizure of supplies (*Acts* [May 24– June 9, 1780], 116–20). See WL to Philip Schuyler, John Mathews, and Nathaniel Peabody, July 26, 1780.

### From Jacob R. Hardenbergh

[Raritan August 12: 1780]

Sir

As The Trustees of Queens-College have made several fruitless attempts to procure a Board, five or six of the adjacent Members having been lately lost by death and removal; and a Meeting of the Trustees being again appointed, to be held at Hillsbourough, on Fryday the 8th. of September next; I have been directed to request your Excellency's presence.<sup>1</sup> As a due Course of attendance probably will not agree with Your Excellency's more important Business, yet if a Board could be once more obtained, new Members might be elected and the ordinary Course of Business carried on. I am sir your Excellency's Friend And very humble Servant

JACOB R. HARDENBERGH

P.S. The time appointed for the next Meeting, the Gentlemen of the Senior Class will offer themselves Candidates for the usual Degrees, when a Board will be absolutely necessary for that purpose.

ALS, NN.

1. According to the charter, the trustees of Queen's College consisted of thirty-seven members and the four officials of the Province of New Jersey: the governor, the president of the council, the state chief justice, and the attorney general. The governor presided over the board meetings when in attendance. WL had been present to take the chair on one or two occasions in the past (*N/A*, 1st ser., 25:343–45).

## From Richard Hayden

August 14th 1780

To his Excelency William Livingstone Esquire

Sir

I have Left West pint on the acont of being in Such a bad state of helth but Never Ment to Make my escape no farther then to Git aletel better in helth and then Ment to Deliver My Self at Head Quarters for I ment to apear at Cort as an evidence and Mean to Bring out Much More then I have Don Sir I am in a bad state of helth at present and beg Leaf to have a few days to gain Strenght. For I'd Desire to Be a frind to my Country from the former and Bring out all plots that I can Discover against the United States and Mean to bring out Every person that has acted against the States to the Best of my noledg these Lines from your humbel Servant

RICHARD HAYDEN

ALS, NN.

## From John Mathews

In committee of Congress, Camp Tapan, August 16, 1780

Sir,

Inclosed you will receive copy of a letter of the 15th instant, from the commissary general.<sup>1</sup>

Circumstanced as our Army at present is, the information contained in the letter becomes truly alarming. It requires the utmost attention of the officers, together with all the necessaries, and every comfort of life, to render the service acceptable to recruits, and as the greatest part of the Army, at present, consist of that class of men; if the time should unhappily arrive, when we will be reduced to the necessity of putting them on half allowance of provisions, or probably have none to give them, the consequence must be, that those men, unaccustomed to enduring this species of distress, and not brought to that State of disci-

pline which can give their officers that controul over them, have acquired over the old soldiers, must revolt at the idea of tamely submitting to a service, when divested as they are of every other privilege the soldiers of all armies are entitled to, and are furnished with, they cannot receive even the means of subsistence. If reduced to the extremity, I have just mentioned, and an irreconcilable disgust should once take place among the[se] men, and desertions (or perhaps something worse) begin, the contagion will, beyond a doubt, pervade the whole Army: And it is not to be expected that the few old soldiers, now remaining, will be disposed to go on, enduring the calamities they have so often experienced, when they find others equally bound with themselves, and who have as yet had none of those difficulties to encounter, manifesting so refractory a spirit, at what they will conceive to be trifles, compared with their own sufferings. Should such an event take place, the train of serious consequences that will inevitably ensue, must at once strike you so obviously, as to render unnecessary my entering into a detail of them. We do, therefore, earnestly request of you, Sir, that the officers of your state appointed to procure and forward the supplies, may be called on, in the most urgent manner, to give their utmost attention to the important business of keeping the Army regularly supplied with your quota of the articles that has been assigned to your State. As you must plainly perceive what embarrassments the least remission on the part of the States, or any of them, must throw us into: For it must be remembered, that the monthly supplies are no more than what is barely necessary for the consumption of the Army, in that time.

It is true, that the Army does not at present amount to the numbers, on which the estimate was made, but as the men are daily coming in, we are to suppose that the complement of men will be made up by the end of this month. But at all events, it is incumbent on us, to be provided to answer the largest demands that can be made on us.

It is not only the immediate supply of the Army, that the committee would wish to call your attention to, but likewise the necessity there is of the greatest punctuality in furnishing the supplies agreeable to the requisitions that have been heretofore made, to prevent in future alarms of this nature, and our giving you further trouble on the subject. I have the honor to be, with the highest respect, Your Excellency's most obedient servant, in behalf of the committee,<sup>2</sup>

JNO. MATHEWS

ALS, Nj.

1. Refer to Ephraim Blaine to the Committee of Congress (*Public Papers of George Clinton*, 6: 110–12). Blaine also wrote WL on this same topic. Refer to Ephraim Blaine to WL, Aug. 14, 1780 (NN).

2. For the steps being taken in N.J. to meet military supply requisitions, see Moore Furman to WL, Aug. 11, 1780.

## To George Washington

Morris Town 17 August 1780

Dear Sir

By Colonel Seelys return of yesterday<sup>1</sup> he has now under his command at this place, 460 rank & file upon which I was going to write to the several Collonels who are deficient in their quotas to urge them immediately to procure their respective Compliments;<sup>2</sup> but considering that the month for which they are called out, is so far elapsed that they could not well be here till the Commencement of the next, I have only reminded them of their deficiencies, & pressed upon them to send their full number for the next relief to rendezvous at this place by the first of August,<sup>3</sup> & there to wait your Excellencys farther orders. And this leads me to observe that your Excellencys first Letter to Colonel Seely before you knew the name of the officer who commanded this Body of Men, was directed to the Officer commanding the three months men,<sup>4</sup> from whence I infer that your Excellency supposes the Men to be out for that term, whereas we can only call them in monthly rotations, which I am sensible is subject to many Inconveniencies, but as such Mistake might have been attended with unhappy consequences, & particularly been a disappointment of your Expectations in receiving those now on duty here considerably disciplined, (in which Colonel Seely & the other Field officers deserve great Commendation for their Industry) I thought it my duty to undeceive you in that Particular; & with great regret to acquaint your Excellency that by the first of August they will again be all raw & new Hands.<sup>5</sup>

As it might be your Excellencys Attention to the discipline of the men; exclusive of the number necessary to protect the Stores here, that induced you to order them to remain at this place until they should be called to join the Grand Army; & that object being in great measure [directed?] by the probability of their being relieved by the next months

men before they are ordered to co-operate with the Army, your Excellency may perhaps be of opinion that some of them might be of greater Service along the Lines in Essex & other of our Frontiers than in this place, which I take the Liberty to mention for your Consideration as a measure that would be extremely agreeable to our Inhabitants in the exposed parts of the State, & in which I am confident you will be ready to oblige them, if you can see it consistent with the general Service.<sup>6</sup> I have the honour to be with the greatest Esteem & most unfeigned Attachment Dear Sir your Excellencys most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Return not found.
2. WL is referring to the counties' quotas of men to supply the 945 recruits that Washington had requested for his proposed attack on New York. See WL to George Washington, Aug. 4, 1780, and WL to the Colonels of the New Jersey Militia, July 17, 1780.
3. WL means September.
4. Refer to George Washington to the Officer Commanding the New Jersey Three Months' Militia, Aug. 3, 1780 (Fitzpatrick, *Writings of Washington*, 19:319). This letter ordered the officer not to continue marching his troops to Dobbs Ferry, as the general had earlier commanded, but to halt at Totowa Bridge until he received further orders. The letter to Col. Silvanus Seely is dated August 6 and is printed in Fitzpatrick, *Writings of Washington*, 19:331. In this letter, Washington ordered Seely to get the remainder of the militia to Morristown and stay there until further notice.
5. Washington had apparently confused the militia troops under the command of Colonel Seely, lent by New Jersey to Washington for his campaign against New York, and the troops raised under 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 under the command of Maj. John Mauritsius Goetschius. As regular militia, Seely's troops were subject to the monthly rotational system. The "Act to raise 624 men" was passed as a direct result of the failure of the monthly system to provide adequate protection to New Jersey frontier areas. It stipulated that these additional militia troops would continue in service until the first of January unless sooner discharged. See WL to George Washington, June 19, 1780, 3:435, where WL previously attempted to explain to Washington New Jersey's confusing militia laws (*Acts* [May 24–June 19, 1780], 86–92).
6. In his reply of Aug. 20, 1780, Washington, in consideration of the militia's monthly rotational system, suggested that the first class be discharged, since it was unlikely to see battle, except for one hundred men to be retained for guarding stores and similar purposes. Refer to George Washington to WL, Aug. 20, 1780 (DLC:GW).

## From William Alexander Livingston

Camp near Orange-Town 17th August 1780

Dear Governor

I am just got down from the Manor<sup>1</sup> where I left all your friends well. On my way I stopped at West-point where I saw Colonel Lamb of the Artillery who commands that Garrison,<sup>2</sup> he desired me to inform you as soon as possible that he has got Lt. Moody closely confined in Irons at Fort Putnam, and waits your Orders respecting him. He very much wishes to have him sent on to you, as he does not think the place secure enough for so great a Villain, the walls being in some places quite broke down.<sup>3</sup>

There is nothing new in Camp, except that the Boston privateers have taken 18 Sail of London Ships bound to Quebec & brought 16 of them in— they were part of a fleet of 37 Sail, 12 of them were taken off of the Western Islands by the French & the remaining 7 had got into the St. Lawrence—up which River lies three Ships of force, belonging to the port of Boston, so that I suppose there will be a pretty tolerable Account of the whole 37.<sup>4</sup>

I have had nothing done for me by General S—nor is there any probability of it.<sup>5</sup> I am your sincere friend & Affectionate Kinsman

WILLIAM ALEX: LIVINGSTON

ALS, NN.

1. Livingston Manor.

2. Col. John Lamb was in charge of the defenses at West Point. Benedict Arnold had taken command at West Point on Aug. 3, 1780 (Fitzpatrick, *Writings of Washington*, 19:309–11).

3. James Moody was a Sussex County Loyalist who since April 1777 had been serving as a raider and spy for the British. On July 17, 1780, in response to a notification to the New Jersey Privy Council by several Sussex County inhabitants that Moody was “lurking” in the county and enlisting men in the British service, the council advised WL to call out troops to capture him. He was taken on July 21 by New York troops, imprisoned at several different locations, and on Aug. 10 sent to West Point, where he was confined to a dungeon in leg irons and hand cuffs (*N/A* [Privy Council], 3d ser., 160–61; Moody’s *Narrative*, 22–34). For a previous report of Moody’s capture, refer to Jonathan Lawrence, Jr. to WL, July 22, 1780 (NN).

4. The August 30 issue of the *N.J. Gazette* carried a report from Boston dated August 10 that, of a fleet of thirty-eight "victuallers" sailing on May 30 from Torbay (England) for Quebec, the French had reportedly taken seven, the American privateers, nineteen.

5. Possibly Maj. Gen. John Sullivan.

## From George Washington

Head Quarters Orange town 17th August 1780

Dear Sir

I have received your Excellency's favor of the 4th instant.<sup>1</sup> As soon as I found that Sir Henry Clintons return from the Eastward had frustrated the enterprise which I had in contemplation,<sup>2</sup> I directed Colonel Seely to return again to Morris town with the Militia and wrote to the commanding Officer of the State detachment in Monmouth to remain there.<sup>3</sup> By a return from Colonel Seely of the 10th instant his numbers only amounted to 443 and by a return of the same date from the commanding Officer of the Jersey Brigade, only 159 Recruits had then joined, and I hear of none since.<sup>4</sup> These deficiencies, especially in the last, are so great, and operate so seriously upon our plans, that I am obliged to represent to your Excellency the absolute necessity of calling upon the proper Officers in the respective Counties to know how far they have succeeded in procuring the quotas allotted to them[;] how many Men they have sent forward and whether they have any, or what prospects of obtaining the remainder. I advert more particularly to the Levies for the Continental Battalions. Your Excellency must be sensible that [unless] the number of Men demanded by the Committee of Cooperation in conjunction with me can be brought into the field, any attempt against the Enemy in New York must be fruitless, and attended not only with disgrace, but with an immense accumulation of expence. Our calculations were founded upon a pretty exact knowledge of the strength of the Garrison, and I do assure you, our requisitions were as moderate as circumstances would possibly admit.<sup>5</sup> Should our Continental Battalions remain uncompleted, the consequence will be, that we must either totally abandon an enterprise upon which the hopes of the States and the expectations of our Allies are fixed, or we must make up the deficiency by an increased demand of Militia. How distressing this will be to the people how incompetent to the end and how destruc-

tive to our slender Magazines of every kind, Your Excellency can as well conceive as I can describe.

I am persuaded I need not make use of further arguments to induce an exertion to collect and send forward all the Men actually raised under the late law, and if that should be found incompetent to the end of obliging those Counties which are still deficient, to provide their quotas, to fall, without loss of time, upon some more effectual measures for that purpose.

I have just received advice from Newport that the greater part of a fleet of Victuallers and Merchantmen from England to Quebec had been taken by the Eastern Cruisers. Sixteen of the prizes had arrived in the different ports. I have the honor to be with the greatest Respect and Regard Your Excellency's most obedient Servant

G. WASHINGTON

P.S. 6 levies only have joined since the return of the 10th. I have appointed the 1st September for the trial of Moody at this place. If your Excellency knows of any material evidences against him, be pleased to direct them to attend.

LS, Nj.

1. See WL to George Washington, Aug. 4, 1780.

2. See WL to George Washington, Aug. 4, 1780, for background on the summer maneuvers of this year. Sir Henry Clinton had taken a troop of dragoons to eastern Long Island on August 16, but was back in Flushing by Aug. 19, 1780 (Smith, *Historical Memoirs*, 2:324, 326).

3. Refer to George Washington to Col. Silvanus Seely, Aug. 6, 1780, and Washington to the Officer Commanding the New Jersey Three Months' Militia, Aug. 3, 1780 (Fitzpatrick, *Writings of Washington*, 19:319).

4. The second return refers to the 624 men to be raised in an "Act to compleat the three Regiments of this State in the service of the United States, and to raise a Company of Volunteers for the Defence of the County of Monmouth" passed June 14, 1780. This Act is discussed in WL to George Washington, June 19, 1780, 3:435.

5. The British had 15,000 regular troops and 3000 to 4000 militia in New York in August 1780 (Smith, *Historical Memoirs*, 2:324).

## From Elias Dayton

[Orange town August 17th. 1780]

Sir,

I enclose to your Excellency an accurate return of the draughts who have joined the three regiments of Jersey.<sup>1</sup> A return similar to this was yesterday given to the Commander in chief,<sup>2</sup> upon which his Excellency manifested great surprize and concern that so trifling a number had joined in comparison to what were ordered by the law of the state.<sup>3</sup>

He desired me to transmit to your Excellency the within return and intreat you to take such measures as you imagine may conduce to forwarding the residue of the recruits so essentially necessary even at this moment.<sup>4</sup>

I have not the pleasure of affording you a single article of news. Our grand camp is pitched in and about this town, with the light infantry advanced about four miles in front towards Schraunburgh.<sup>5</sup>

Our army is, in comparison to what it has been, pretty formidable in point of number and I hope will soon be in point of discipline, for the greatest industry is practised in training the recruits who have joined in considerable numbers from the other states.<sup>6</sup>

A number of the six months men who have already joined us prove to be deserters from the Continental army, I therefore submit it to your Excellency's consideration, whether it would not be proper to direct the militia officers neither to enlist strangers nor persons of doubtful characters.<sup>7</sup> I have the honor to subscribe myself with great respect your Excellency's most obedient humble servant

ELIAS DAYTON

ALS, NN.

1. Return not found.
2. This return is mentioned in George Washington to WL, Aug. 17, 1780.
3. "An Act to compleat the three Regiments of this State . . .," see WL to George Washington, Aug. 17, 1780. By Aug. 17, 1780, only 165 men had been raised in New Jersey (Fitzpatrick, *Writings of Washington*, 19:392; *Acts* [May 24–June 19, 1780], 86–92).
4. See George Washington to WL, Aug. 17, 1780.
5. Probably Schraalenburgh, Bergen County, present day Dumont.
6. For previous complaints about undisciplined New Jersey soldiers and a discussion

of “An Act to provide for the more effectual Defense of the State . . .,” intended to remedy their behaviour, see WL to Baron von Steuben, June 21, 1780, 3:438–39 (*Acts* [May 24–June 19, 1780], 108–9).

7. Recruits from other states and deserters from the Continental army were attracted by New Jersey’s bounty, which ranged from \$60 for a private to \$500 for a colonel (*Acts* [May 24–June 19, 1780], 91).

## To Timothy Pickering

Morris Town 17th August 1780

Sir

Understanding that you are appointed Quarter Master General,<sup>1</sup> & finding by the Resolution of Congress of the 15th July<sup>2</sup> that the Quarter Master General is to appoint one Deputy for each State, if he shall judge so many to be necessary & the same to be approved by the Board of War, & the person appointed to be approved of by the supreme Executive of the State in which he is to be employed, I cannot but think it my duty to the public to recommend to you as a Deputy for this State the honourable Silas Condict Esquire at present one of our Council of whose Integrity diligence & abilities, I have had long & abundant Experience, & whose appointment would be very generally agreeable to the People of this State,<sup>3</sup> a Circumstance that greatly facilitates the Execution of that Trust. I do not know whether Mr. Condict would accept of the Appointment, & as that may probably in part depend on the Quantum of his Salary, tho’ he is far from being a mercenary man, I should be glad to know in case you should have no Objection against appointing him whether you would allow him the full salary mentioned in the Resolve,<sup>4</sup> which I should think the more reasonable as the Business of the Department in this State will doubtless by very extensive, & require the Officer’s constant Attention. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, DNA: RG93, M859.

1. Congress appointed Timothy Pickering quartermaster general on Aug. 5, 1780 (*JCC*, 17:698).

2. The appointment of subordinate quartermaster generals at the state level was left to Pickering. This direct authority was instituted in hopes of remedying the inefficiency that long characterized the quartermaster general’s office (*JCC*, 17:615–16). See Philip Schuyler, John Mathews, and Nathaniel Peabody to WL, July 23, 1780, n. 4.

3. Earlier in 1780 Silas Condict had expressed his interest in an appointment as quartermaster general. WL had at that time written letters on his behalf. Refer, for instance, to Silas Condict to WL, Feb. 22, 1780 (NN), and see WL to Silas Condict, Feb. 23, 1780, and WL to William C. Houston, John Fell, and Abraham Clark, Feb. 24, 1780, both in vol. 3:303–4, 306.

4. The congressional resolve authorized the quartermaster general to set the salary of deputies at no more than \$75 per month (*JCC*, 17:627).

## To George Clinton

Morris Town, 18 August 1780

Sir,

I lately received a Letter from my Sister Mrs. Lawrence, a Widow & Refugee from the City of New York & for some years last past an Inhabitant of your state.<sup>1</sup> She informs me that tho' she had a very genteel competency at the Beginning of these troubles, she is at present greatly straightened by occasion of the depreciation of the money, & that she is advised by many of her Friends in New York to come into the City, giving her the strongest assurances of her receiving her house rent if she can obtain Liberty to come in person. She would, however, not wish to stay, but is desirous of a Permission to go, & return into the State of New York after having secured her property. Such Permission, Sir, she begs me to solicit from your Excellency.<sup>2</sup> I know it is a delicate point to interfere in the Policy of other States; and would only be understood to desire the Pass so far as such Indulgence to a distressed Widow & a good whig, reduced by the fate of war from a very easy fortune to a state of Dependence, & having a fair prospect of recovering her debts by going in, is consistent with the plan which your Excellency has prescribed to yourself respecting the granting of Passports. With great respect, I have the honour to be, your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, NN. Published in the *Public Papers of George Clinton*, 6:124.

1. See Catharine Lawrence to WL, Aug. 6, 1780.

2. For his views on passes see WL to Charles Stewart, July 31, 1780.

## From Joseph Budd

Near New Mills August 18 1780

Sir,

As Colonel Thomas Reynolds is Under *Arrest*, the Command of the Batalion falls Upon me. And therefore I Now Send the List of Recruits Raisd in the Second Batalion of Burlington County, According to Law. There is not but Seven men, when the Batalion ought to have Raised Seventy as that was the Quota Layd for the said Batalion Agreeable to Law.<sup>1</sup> I have Strived to hire more men. But as the men will not hire Without the Money being pay'd Down to them It was out of my power to procure the Men as soon as the Law Required the men to be had. I beleive that our Batalion is in the Worst Situation of Any in the State, that is the Inhabitants will not try to procure men.<sup>2</sup> As they ought which make us be under the Nesesity of Sending the Constable to Collect the Moneys. And then as the Cheifes part of our Batalion is Conscience Bound against paying money for hiring men.<sup>3</sup> The Constabl is oblidge to make Distress And Sale of their goods and bifore that the money Can be got in this Round about way. The Expiration of the Law Run out for hireing men, but not for the Collection of the Moneys, which I shall hurry on with All Dispatch so as the moneys may be transmitted To The treasurer.<sup>4</sup> I am Very Sorrow that their was know more men hire as the men is Wanted. But as I have mentioned above (it was out of the power of the officers to procure The Men as soon as the Law Required it to be Done) for Reasons Already mentioned. And I hope your Excellency will not blame the officers because the men was not hired As we Lay under such Disadvantages having so many Conscientious people in our Batalion as will Doe nothing till they are made to Doe it by the Law. And again, thier was an order from Your Excellency<sup>5</sup> for Sixty men from this Batalion which was Received by Colonel Thomas Reynolds. And the said Colonel gave order To the Captains agreeable to Your Request. But as their was a Division between Colonel Reynolds and All the officers of the Batalion (or Rather a Dispute), the men was not got which I beleive was the Cause, the Disspute a Rose from the said Colonel Not Signing a Warrant for the Collection of the

finer as a Court Marshal had fined All the Delinquents of the said Batalion when he the said Colonel gave a Warrant for holding the Courts And Immediately upon the Colonel Not Signing a Warrant agreeable to Law (in my opinion) as the Deliquents Was find by a Court, the Majority of the Commissioned officers of the said Batalion Signd Remonstrance and Sent it to Major General Dickson<sup>6</sup> and he Arrest the said Colonel for the Reasons Set forth in the Remonstrance. And So as the said Colonel is under Arrest the Command falls Upon Me as I am the Next officer in Commnd. And that is the Reasons that I take the opportunity to Write to your Excellency and Send the Inclose List as the Law Requires the Commanding officer To Transmitt it to the Governor or Commader in Chief in this State. I am Your Excellencys Most obedient And humble Servant and willing to Serve

JOSEPH BUDD

ALS, MHi.

1. According to an act of June 1780, Burlington County was immediately to raise two officers and sixty-three noncommissioned officers to serve until Jan. 1, 1781. See "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" (*Acts* [May 24–June 19, 1780], 86).

2. Other counties experienced similar difficulties to that of Burlington. Essex County, for instance, ordered by the act to raise two officers and forty-three noncommissioned officers and privates, had by mid-July raised only one officer and twenty privates. See John Mauritsius Goetschius to WL, July 29, 1780.

3. Burlington County had a large Quaker population that, on religious principles, refused military service and also refused to pay for substitutes.

4. According to the terms of a 1778 New Jersey law, persons exempt from militia service were to pay a tax. This section of the 1778 law was superseded by another act passed June 12, 1779, but back taxes were still collectible. See "An Act for the Regulating, Training and Arraying of the Militia" (2:180, 228, 283, 404, 463; *Acts* [Feb. 21–Apr. 18, 1778], 55; *Acts* [May 22–June 12, 1779], 113–17).

5. Order not found, but WL on Aug. 4, 1780, did order the militia to hold itself ready to march (*N.J. Journal*, Aug. 9, 1780).

6. Philemon Dickinson.

## From Lord Stirling

Camp Orange Town August 18th 1780

Dear Sir

The Army is once more in the State of New Jersey, or very near it, some being encamped on one side of the Line and some on the other.<sup>1</sup> I

wish it was in my power to invite you to Come & take up your abode at my Hut or Barn, but the left Wing of the Army (which I have the honor to Command) happens to be on the North Side the Line & towards Dobbs ferry.<sup>2</sup> But there are plenty of very good Safe lodgings on the South Side of the line, particularly at one Herrings where there is nobody but the Judge Advocate Mr. Larence.<sup>3</sup>

We have authentic accounts that of a fleet of 37 Sails laden with provisions and the Usual Cargoes for that Country bound from London to Quebec, 12 are taken by some french Men of War, 18 by our Eastern privateers and are arrived in port, the other 7 Stood their Course for Quebec, and I doubt not will be intercepted by three of our Ships which are Cruizeing in the River St. Lawrence. The Vast Quantity of Blankets and other Course Woollens which this Capture will Afford us, as well as the Effect of the Want of them in Canada will render it a very important one. I am Dear Sir your Most Obedient Humble Servant

STIRLING

ALS, NN.

1. The American army was encamped at Orangetown and Dobbs Ferry (Fitzpatrick, *Writings of Washington*, 19:339–40).

2. Stirling had been commander of the left wing since Aug. 3, 1780 (Fitzpatrick, *Writings of Washington*, 19:313).

3. John Larence, judge advocate general of the Continental army.

### From John Mathews

*Camp Tappan, Aug. 19, 1780.* Mathews warns that the United States will lose the war unless the various states comply with national manpower quotas.<sup>1</sup> Mathews also mentions the continued need for provisions, forage, and teams.<sup>2</sup> Citing an Aug. 17, 1780, letter from George Washington to the Committee of Congress<sup>3</sup> about the paucity of troops in the Continental army, Mathews urges the states to fill their quotas.<sup>4</sup>

ALS, Nj.

1. For Washington's concerns about the number of recruits from New Jersey, see George Washington to WL, Aug. 17, 1780.

2. For New Jersey's difficulties in supplying the army and congressional attempts to deal with the problem, see John Mathews to WL, Aug. 16, 1780.

3. See Fitzpatrick, *Writings of Washington*, 19:391–94.

4. The Committee of Congress, formed on Apr. 13, 1780, was ordered by Congress

on Aug. 11, 1780, to make yet another visit to Washington's headquarters to prepare a final report to Congress before being disbanded (*JCC*, 17:720). See WL to Philip Schuyler, John Mathews, and Nathaniel Peabody, June 1, 1780, 3:405–6, n. 1.

### From Joseph Reed

Head Quarters near Trenton<sup>1</sup> Aug. 21. 1780

Dear Sir

Your several Favours of the 19th & 20th are come safely to Hand,<sup>2</sup> & am much obliged to you for the Care you have taken of us. The Hay is arrived & I hope we shall soon see the Biscuit & Cattle of which we shall be obliged to take Toll on their Passage to Camp. The Letter to the Lieutenants is absolutely necessary for should the Men be disappointed in their Pay I shall have an uneasy Time of it. Besides I think a steady firm Collection of the Fines would oblige People to [thresh?], & exert themselves to send their Produce to Market, which would have a good Effect in collecting the Supplies. Marsteller<sup>3</sup> told me that in the County of Lancaster the People estimated with great Exactness the publick Demands & cultivated their Land accordingly.<sup>4</sup> We have dealt out our Quarter Master Stores with great Frugality but still are deficient in some of the most material such as Axes & Arms. I have been much disappointed in some of the Regiments who I am perswaded have Arms at Home, coming here naked. The County Battalions are very apt to do this, & therefore in the Letter wrote to the Lieutenants it would be well to apprise them that they must not depend on Arms (as they do) being provided for them.<sup>5</sup> The Account you give of the Commissioners is very encouraging I have forwarded it to the General as I am perswaded it will give him very great Satisfaction.

I hoped the Artillery Companies would have been here by this Time but as I know the Difficulty of procuring Money I can easily allow for some Delay. I am sure nothing will be omitted & therefore make myself satisfied with the necessary Procrastination of our March. In the mean Time we are not idle, the Men are in training every Day. I had no Idea of the Aukwardness of the Officers or Men, but really it would be dangerous to themselves & Officers to take them to an Enemy till they are better qualified to meet him. But we make great Improvement & I must do them the Justice to say they behave very well. If no Alt[era]tion hap-

pens I shall be as easy in my Command as I could wish. I greatly dislike taking the Taxes to advance to the Militia if it could be avoided but I hope the Lieutenants will seriously collect the Fines, in this Case there will be Money enough.<sup>6</sup> You will want every Shilling, my good Sir, for [?] other Purposes, & after all I fear you will have great Difficulties in procuring what is necessary for Purchases. I perfectly agree with you with Respect to the Land Office & will write to the Chief Justice & Mr. Bryan as you desire. If that succeeds & Mr. Searle<sup>7</sup> is fortunate in his Application I hope we shall get along if not prosperously at least tolerably.

I will take Care that Dean Timmons shall have a Birth that he likes. I find there will be a considerable Deficiency of the Troops called for: by the last Return they stood as follows: Philadelphia City 530. Officers included—Philadelphia County 357.—Bucks County 178. I think it would be proper the Lieutenants should be informed of the Numbers here as it is probable some may be lurking at Home who ought to be out. I am very fearful the Men from Lancaster & over Susquehanna will come forward with Expectation that every Thing will be provided for them at Philadelphia, and as a sufficient Supply cannot be procured we shall be in a Dilemma whether to send them back as useless, or forward them without Arms. I believe the latter will be most adviseable as sending them back will encourage them to come unprovided in future, & by that Means avoid Duty, & we can make Use of Numbers without Arms as Drivers of Cattle, Labourers etc. and if the Seige of New York is commenced, they can be employed usefully as Pioniers.<sup>8</sup> In the low State of our Treasury when I left Town, I was obliged to borrow 10,000 Dollars of Mr. Turnbull<sup>9</sup> for my Expenses which are unavoidable both on the Road & at Camp, when Circumstances will admit & he applies shall be glad he may be repaid.

We have no News here except an Account of the Capture of the Quebeck Fleet of which 16 had arrived safe as Gen. Greene has wrote to Col. Cox.<sup>10</sup> This will be a most important Acquisition to the Continent & as we are under a Necessity of providing our Officers with Cloathing this Fall I submit it to you whether it would not be proper to take early Measures for purchasing some Part of it.<sup>11</sup> In such a Case I do not think it improbable a Purchase might be made on the Credit of the State paying an Interest & either specially contracting or paying in State Money. I wish you would consult Mr. Turnbull upon it. His Cor-

respondence with Boston is very good. If Mr. Searle is successful it must be late before we receive any Benefit from it. I am Dear Sir, with Respect to the Council Your Obedient & very Humble Servant

JOS. REED

P.S. A Number of Arms was left in the Barracks by the Volunteers from the Country in Care of Col. Nicola.<sup>12</sup> Mr. Stiles<sup>13</sup> would do well to look after them.

ALS, NH.

1. In preparation for his anticipated attack against New York, Washington on July 27, 1780, had requested that the Pennsylvania militia join the Continental army at once. The men, led by Reed, had arrived at Trenton on Aug. 16, 1780. They were dismissed Sept. 1, 1780 (Fitzpatrick, *Writings of Washington*, 19:262–63; *Pa. Archives*, 1st ser., 8:477; *Pa. Packet*, Sept. 5, 1780). See also George Washington to WL, Aug. 17, 1780.

2. Letters not found.

3. Philip Marsteller.

4. On provisioning the army see John Mathews to WL, Aug. 19, 1780.

5. Letters not found.

6. On Sept. 5, 1780, Reed wrote to the chief justice of Pennsylvania, Thomas McKean, and the attorney general of Pennsylvania, George Bryan, for clarification of the militia law to facilitate the collection of fines for delinquencies (*Pa. Archives*, 2d ser., 3:378).

7. James Searle had been commissioned by Pennsylvania to negotiate a loan for the state in Europe, an effort which ultimately proved unsuccessful.

8. pioneers: an advance party of soldiers who repaired roads or dug trenches to ease the passage or ensure the safety of the main body of troops.

9. Probably Connecticut governor Jonathan Trumbull.

10. John Cox.

11. For previous reference to the capture, see William Alexander Livingston to WL, Aug. 17, 1780; for discussion of the possible use of captured material see Lord Stirling to WL, Aug. 18, 1780.

12. Lewis Nicola.

13. Ezra Stiles.

## To George Washington

Morris Town 21 August 1780

Dear Sir

I have your Excellency's Favour of the 15th Instant.<sup>1</sup> It mortified me beyond Expression to find that only 159 recruits have joined the Jersey Brigade; and all the Consequences which your Excellency mentions are but too justly to be apprehended from such deficiencies. I shall without

loss of time pursue the measures your Excellency recommends for completing our Quota, if my Disorder will permit having been seized with the Fever & Ague last week, which has reduced me to a State almost too low to attempt any Business.

I thank your Excellency for the agreeable Intelligence of the Captures to the Eastward. I had indeed heard something of it before; but as I never lay much stress upon News by common Report, I did not suffer myself to rejoice in the occasion. The great Quantity of Blankets & other coarse woollens which this Capture will afford us, as well as the Effect of the want of them on Canada, & the copper-headed<sup>2</sup> allies of Great Britain, must render it a very important one.

I think I shall be able to procure Evidence from Sussex of Moody's having enlisted our people, which I presume must be fatal to him. Whether it will be of any use to prove that he compelled one of our Justices to take the Oath of Allegiance to his Britannic Majesty, I know not.<sup>3</sup>

I have also been favoured with your Excellency's Letter of the 20th, & Colonel Seely will discharge all his men except 200 accordingly.<sup>4</sup> I had previous to the receipt of it, written to every one of our Colonels pointing out their respective deficiencies in the present Tour; & urging them to have their full Compliment by the first of September to rendezvous at this place, & there to wait your Excellency's farther orders.<sup>5</sup> As the dispatches are already gone, & as it is much easier to discharge them in case they should not be wanted, than to get them when they are, it will perhaps not be necessary to qualify those orders by a subsequent direction pursuant to your Excellency's Letter, than to take the field if called upon. If however your Excellency should continue to think it best, I shall on the least Intimations from you, give correspondent directions, though from the slowness of their collecting & the length of the march with respect to many of them, I am really afraid that on any sudden movement they will not, on such orders, join you in due Season. I have the honour to be with the highest respect Dear Sir your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. WL is probably referring to George Washington's letter of Aug. 17, 1780.
2. copper-headed: British sympathizers or Loyalists.
3. See George Washington to WL, Aug. 17, 1780, in which Washington requested WL to order any person with evidence against Moody to attend his court-martial. On

September 1 Moody was moved from West Point to Washington's Bergen County, N.J., headquarters, from which he escaped on Sept. 17, 1780.

4. Refer to George Washington to WL, Aug. 20, 1780 (DLC:GW). Washington requested Silvanus Seely's new recruits to be ready for battle by Sept. 1, 1780.

5. Letters not found. WL wrote similar letters to the colonels of the New Jersey militia on July 17, 1780, urging them to complete quotas and to rendezvous with Washington by August 1. Also, on Aug. 9, 1780, the *N.J. Gazette* carried an order from WL instructing the militia to be prepared to march on short notice.

## To George Washington

Morris Town 23d: August 1780

Dear Sir

I informed your Excellency in my last that I should immediately give directions to the Colonels to exert themselves to compleat their Quotas of recruits in the Jersey Brigade but on looking over our Act for that purpose, I find to my great mortification that the [time?] in which the officers were to procure the Levies for that Service is expired, & with it their Authority to proceed farther in the Business.<sup>1</sup> There is now no other Chance than a new Act, & as our Assembly stands adjourned to the 13th of September,<sup>2</sup> I have, to save as much time as possible, sent for the Speaker to endeavor to prevail on him to call the Assembly as much sooner as they can be convened.<sup>3</sup>

I inclose Hayden's Affidavit who lately escaped from the Guard in camp, & has since surrendered him self to Justice on a promise of pardon & in Consideration of the discoveries he can make.<sup>4</sup> There appears the greatest corruption in the officer who suffered his Escape, & whom he cannot describe by name, but probably the description he has given in his deposition may be sufficiently designative of the person.<sup>5</sup> I have the honour to be With the greatest Esteem Dear Sir your Excellencys most humble & very obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. For background on the "Act to compleat 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," see George Washington to WL, Aug. 17, 1780. The method of raising troops and the period they were to serve had been outlined in "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" (*Acts* [May 24–June 19, 1780], 86). This act provided for the apportionment of troop quotas according to taxable inhabitants in the counties as

of June 22, 1780. For recent correspondence relating to this act see Joseph Budd to WL, Aug. 18, 1780.

2 The assembly adjourned on Monday, June 19, 1780.

3. No correspondence from WL to Speaker of the House Caleb Camp has been found.

4. In his deposition of Aug. 23, 1780, Hayden stated "that he was Removed from the Provost in Bergen County Near Colonel Deys Under guard to West-point where he was confined about a Week in which time he this Deponant Mentioned to the Officer of the Guard his desire to get away from that confinement that he was unWell alledging that he would come to Morris Town or Some where thereabouts, and give himself up, the officer (whose name this Deponant does not Know) answered that he might get out for the Centinals did not know who went out. Some Short time after the said officer came in again and asked this Deponant if he wanted to go out upon which this Deponant took the hint and put on his Coat and Walked out with the said Officer by the Centinals. And further Saith that the said Officer was of the Militia from the Massechusetts and lives about thirty Miles beyond Boston & that it was on Monday the Seventh Day of August Instant he made his escape from West-point."

For his declaration of loyalty to the United States see Richard Hayden to WL, Aug. 14, 1780. Silas Condict, who may have suspected Hayden of counterfeiting, told WL that the sheriff of Morris County had sufficient evidence to prosecute Hayden of other crimes even if he should be acquitted of desertion charges by a court-martial. Refer to Silas Condict to WL, July 25, 1780 (NN). Richard Hayden was tried and convicted of two counts of felony in Morris County but was pardoned by the Privy Council on Sept. 29, 1780 (*NJA* [Privy Council], 3d ser., 1:173).

5. Washington attributed Hayden's escape to carelessness on the part of the guard, and armed only with Hayden's sketchy description, despaired of finding the Massachusetts officer who was responsible for his escape. Refer to George Washington to WL, Aug. 27, 1780 (Nj).

### From William Chamberlin

Amwell August 26th 1780

Sir

Your orders of the 17th Come<sup>1</sup> to hand & I have been with the Captins and find it out of my power to Bring the men out Till a Tryal is had, & the dispute in the Regiment settled, the Captins Say they have layed them Selves under Obligation to your Excellency Some Time past; not to act Till the matter is tryed, and they Cannot think of unmannning them Selves and forfeiting their word, or Rather Obligation—otherwise they would drop all, and Act as usual,<sup>2</sup> But when your Excellency Comes to be Rightly informed, will find it thus. The men are so offended at ye Conduct of their Captins & Major Stout the last [?] that they are determed not to Act under them Till they are Tryed or the Matter settled by some means—for they say they have as good Right to

disobey orders as the officers and an Equal Rite to indulgans from your Excellency. So it Seams the whole is under Bonds and nothing will Brake them But to have the matter Publickly Setled—which I pray to be don amediately. Since you Excellencys orders of the 17th July I Sent you a letter with the Returns of the six months men<sup>3</sup>—in which I informed your Excellency of the impossability of Bringing the men out under the present Circumstancis. General Dickinson has directed those Captins not to Obey orders from me<sup>4</sup>—which if nothing Else would put it out of my power to prosscute your Excellencys orders Till a Settlement is had. I am your Obedient & Humble Servant

WILM. CHAMBERLIN

ALS, NN.

1. Chamberlin is referring to orders dated July 17, 1780. See WL to Colonels of the New Jersey Militia, July 17, 1780, for particulars of these orders.

2. For background of dispute between Chamberlin and his officers, see WL to Cornelius Stout, June 8, 1780, 3:422, and Petition from Cornelius Stout, et al., June 3, 1780, 3:411–13. See also William Chamberlin to WL, July 26, 1780.

3. The returns were enclosed in Chamberlin to WL, July 26, 1780. For an example of problems related to raising men under the terms of “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,” see Joseph Budd to WL, Aug. 18, 1780. For the most recent reference to the act, see WL to George Washington, Aug. 23, 1780. According to the terms of the act one captain, one lieutenant, one ensign, and eighty-one noncommissioned officers and privates, including two horsemen, were to be raised in Hunterdon County (*Acts* [May 24–June 19, 1780], 86). To partially fill Hunterdon’s quota, WL had ordered Chamberlin to recruit one lieutenant, one ensign, and forty-eight privates. Chamberlin was able to enlist only one ensign and twenty privates. For Chamberlin’s report on the militia, refer to N.J. Archives MSS, 3879, 3880.

4. For Chamberlin’s suspension from duty, see WL to the Assembly, June 5, 1780, 3:414–15. Dickinson’s correspondence has not been found.

### From George Washington

Head Quarters near the Liberty Pole  
in Bergen County 26th: August 1780

Dear Sir

In mine of the 20th instant,<sup>1</sup> I desired Your Excellency to discharge the whole of Colonel Seelys Militia, except about one hundred for the purpose of a Guard at Morris Town, and to direct the September Class to hold themselves in readiness to come out upon the shortest notice. I

would only wish you to continue those orders, but not to call out the Classes, except about one hundred Men for the purposes above mentioned, untill you hear from me. Our extreme distress for want of provision makes me desirous of lessening the consumption as much as possible. Some Brigades of the Army have been five days without Meat. To endeavour to relieve their wants by stripping the lower parts of the County of its Cattle, I moved two days ago to this place, and yesterday compleatly foraged Barbadoes and Bergen Necks.<sup>2</sup> Scarcely any Cattle were found but Milch Cows and Calves of one and two Years old, and even those in no great plenty. When this scanty pittance is consumed, I know not to what quarter to look, as our prospects from the Eastward, upon which our principal dependance is placed, are far from being favourable.

The monthly requisition of Meat from the State of Jersey has been complied with in a very small degree, as the Commissary General informs [me] that he has received but seven Cattle from Mr. Dunham the Superintendant since the month of April.<sup>3</sup> I am very far from complaining of the general exertions of the State, on the contrary, I have every reason to acknowledge them upon several pressing occasions: but your Excellency must be sensible that when the support of an Army is made to depend upon certain quantities of provision to be furnished regularly by the different States, the failure of any one must be more or less felt.<sup>4</sup> I have the honor to be with very great Regard and Esteem Your Excellency's Most obedient and humble Servant.

G. WASHINGTON

P.S. I have received Your Excellency's favor of the 21st. and 23d.<sup>5</sup> I do not imagine it will be possible to discover the Officer who permitted Heyden to escape, as the description is so exceedingly vague. As money does not appear, from the Deposition, to have had any operation, I am led to believe that the thing has happened more from an improper knowledge of duty than from any design. I am sorry to hear of Your Excellency's indisposition.

LS, Nj.

1. Refer to George Washington to WL, Aug. 20, 1780 (DLC:GW).

2. From Aug. 24, 1780, Washington's headquarters was located in the Liberty Pole Tavern at Teaneck, N.J. Previously, Washington's headquarters was at Orangetown, N.Y.

3. Azariah Dunham was assistant commissary general of purchases. Refer to Azariah

Dunham to WL, Apr. 18, 1780 (NN), and WL to Azariah Dunham, Apr. 23, 1780 (NN:Lyon), for further information on the distribution of New Jersey supplies. See Moore Furman to WL, Aug. 11, 1780, on problems with transporting provisions.

4. During the winter of 1779–1780, George Washington ordered New Jersey magistrates to seize civilian provisions. See Samuel Huntington to WL, Feb. 1, 1780, 3:295, n. 1. By August 1780, George Washington was reluctant to continue that policy, noting it was “too violent unequal oppressive and consequently odious to the people. . . .” In August supplies were still severely limited. Commissary General Ephraim Blaine proposed that Washington send troops out of New Jersey. Washington dealt with the problem on Aug. 27, 1780, by sending a circular letter to the states calling attention to the army’s shortage of meat and flour, and urging the states to provision the troops (Fitzpatrick, *Writings of Washington*, 19:393, 451–53).

5. See WL to George Washington, Aug. 21, 1780, and Aug. 23, 1780.

From B. Edgar Joel

[September 1780]

Sir

The veneration, & esteem I hold for your Excellency private character will make me attempt to put your commands in Execution, but allow me to observe that I know none in this Country (but the Legislature in General, when giving lawful orders) as my superiors in any respect.<sup>1</sup> I am with esteem for Your Excellency Your most Obedient

B. EDGAR JOEL

ALS, NN.

1. Joel was a captain in the British army who deserted to the Americans. He claimed to be the “son of the Duke of Richmond.” Refer to Memorial of B. Edgar Joel to the Board of War, July 20, 1780 (DNA:PCC, p.400). Joel was probably the son of Thomas Joel, secretary of the London Association, a pro-American, English-based organization.

From B. Edgar Joel

[September, 1780]

Sir

I had the Honor of your Excellency commands & shall endeavour to obey them But must beg leave to acquaint you, that as the Hon. board of war has thought proper to order my attendance they must defray the Expence of my appearance before them;<sup>1</sup> as they as well as your excel-

lency must know, that a stranger here like me, unknown, & unacquainted cannot be possess of the necessary advantages for travelling. If your Excellency thinks proper to order me a Continental horse, & assistance, I shal put your desire in execution directly—otherwise it will not be in my power to execute them immediately. I am Sir with the highest, & unfeigned respect Yours most obedient

B. EDGAR JOEL

ALS, NN.

1. Joel deserted to Washington's camp at Princeton in June 1780, claiming disgust with the British army. Refer to George Washington to Board of War, June 14, 1780 (Fitzpatrick, *Writings of Washington*, 19:11). Washington, suspicious of Joel, imprisoned him, but allowed him to plead his case before the Board of War. Refer to Memorial of B. Edgar Joel to Board of War, July 20, 1780 (DNA:PCC, p. 400). Joel told the Board of War he left the British because of "the mortification of seeing his wounds and exertions disregarded." The Americans offered the opportunity of "avenging his indignation," so Joel asked for a commission in the United States Army. Washington refused (Fitzpatrick, *Writings of Washington*, 19:375–76, 379).

### From Thomas Reynolds

New Mills September 1, 1780

Sir

Yester day Received yours of ye 19th of August<sup>1</sup> wherein you observe that out of the 60 men ordered out of my Regiment Not one of them appeired which I am very Sorry for I did all in my power to have them Theire upon the Receipt of your orders I immediatly gave orders to my Captins to furnish theire quotas of the men showing them your orders at the same time to march immediatly but I believe they paid but Little Regard to the orders they were then Sitting on a Court Martial Trying the delinquents who Refused marching at the Late general call of the melitia gave me for Reasons that they New The men would not march Untill the fines were Collected Told Them Those Reasons would Bear No weight theire marching Now would not Relese any of those who were finable and their would be still more fines the oftner the melitia was called out however they chose to go on their own way they levied fines To amount of £70,000 that Sum to be divided between 70 or 80 men for 4 Days service appeared to me to be Two much<sup>2</sup> for I apprehended the disadvantage we Laboured under here to fore in gitting

out the militia [?] this the chief part of the people of property in our district are of the people called quakers they will not beere armes the Service generally falls on the Laboring part of the people<sup>3</sup> The pay the Continent Allows [?] is so Trifling they Cannot support Them selves as many of them have familys Could Their pay be maide equal to what they Cold earne at home by Labor be lieve we could at any time call out as many men as we could arme provided we had proper officers The Late Law apprehended was intended to Remedy that evill however it was the Use I wished to make of it but Could not prevaile with my officers to Lessen the Sums for which Reason I could not give my assent to their proceedings for it Realy appeired to me to be injures to the cause it will Certinly imbetter [?] mind more aginst the officers and government to pay 7 or 8 hundred pounds fine when it [ . . . ] a person who haith done Nothing to deserve it more than paying Twice that Sum had the person done any Thing to deserve it. My officers Laid the matter before general dickinson<sup>4</sup> & he Saw fit to put me under an arrest.<sup>5</sup> I wrote you before but it Seems it haith not Come to hand. Major Joseph Budd haith the cammand Now of the Regiment I Sent him the Last [?] as soon as it came to hand. I am Sir your most obedient Humble Servant.

THOS REYNOLDS

ALS, NN.

1. Letter not found.
2. The sum of £70,000 may have been an inaccurate figure.
3. For background on fines imposed in Pennsylvania on Quakers and others who refused military service see Joseph Reed to WL, Aug. 21, 1780. For the outcome of Reynolds's trial see WL Proclamation, May 14, 1781.
4. Maj. Gen. Philemon Dickinson.
5. Reynolds was court-martialed, found guilty, and fined £15 on Mar. 22, 1781, for not assessing fines on militiamen who refused to turn out for duty. See WL Proclamation of May 14, 1781.

From Abraham Skinner

Commissary of Prisoners Office  
Head Quarters September 9th 1780

Sir

The very peculiar situation of the Prisoners of War belonging to this State who are now in the hands of the Enemy, induces me to request

that Your Excellency will give me Instructions relative to their situation, or point out some method in which their distresses may be alleviated and their Confinement made Sufferable.<sup>1</sup>

The Officers, who are Prisoners on Parole on Long Island have not had the least Supply or Support from this Office since the Spring of the Year 1779. Since which they have been at Board on Long Island and many of them are at present destitute of a Single farthing are liable to insult daily from their Land Lords who seem tired of Supporting them without fee or Reward and if their Exchange could be effected they would be detained for the payment of the Debts they have Contracted for their necessary Support.<sup>2</sup>

The Citizens and Privates of this State (some few excepted) are Confined in Sugar Houses & Churches in a wretched situation, many of them without a shirt or Blanket and no Allowance except what they receive from the Enemy and about 3 1/2 lbs. of Bread which is issued to them by the Continental Agent without any Authority from the Legislature of the State.<sup>3</sup>

To these distresses may be added the mortification the Jersey Prisoners feel in Seeing their fellow Sufferers receive Supplys from the Neighbouring States to which they belong, when their past Services as Soldiers and Citizens merit equally as much attention.<sup>4</sup>

I am sorry to add that at present there seems to be the Smallest prospect of Exchanging or Releasing those Men and that if they are not timely Supported they must as severely feel the consequences as you can possibly imagine.<sup>5</sup>

I shall at all times be happy to render them the services which my Duty as well as inclination may point out and to fulfil Your Excellencys directions with respect to the difficultys they labour under. I have the honor to be with great respect Your Excellencys Most Obedient Humble Servant

ABRM. SKINNER

LS, Nj.

1. Abraham Skinner was officially named commissary general of prisoners on Sept. 15, 1780 (*JCC*, 18:828). After the resignation of the previous commissary John Beatty on Mar. 31, 1780, Washington and the Board of War handled Continental army prisoner-of-war affairs. At Washington's request, Congress on Aug. 7, 1780, ordered the Board of War to estimate supplies and clothing needed for the 515 officers and 2776 men held captive at New York and Charleston. At the suggestion of the Treasury Board, Congress on Aug. 23, 1780, resolved to sell for specie \$71,340 in bills of exchange to pay for the badly

needed supplies. The money was to be distributed equally to the commissaries of prisoners in the South and in New York (*JCC*, 17:704–6, 753–54, 763).

2. Captive military officers were usually paroled to live with local residents and were responsible for their own room and board charges. For a description of the conditions endured by a New Jersey militia officer kept in captivity, refer to Nathaniel FitzRandolph to WL, Apr. 30, 1780 (Ct), and see WL to George Washington, Apr. 25, 1780, 3:368–69. FitzRandolph, weakened by his confinement, was released only to receive a fatal wound in the June 23, 1780, battle of Springfield.

3. Prison conditions endured by American enlisted men and civilians were usually worse than those of officers. For a description of the confinement of a New Jersey civilian, see Joanna Halsted to WL, July 22, 1780. Congress attempted to alleviate the distress of captive enlisted men and civilians with a Sept. 6, 1779, resolution which recommended that the states both make provisions for these prisoners and keep an account of expenditures so the money could later be collected from the British (*JCC*, 15:1032).

4. New York, Virginia, and Maryland sent supplies into New York City for prisoners of war from their states.

5. WL forwarded Skinner's letter to the legislature on Sept. 18, 1780. That body could not agree on a remedy to the New Jersey prisoner supply problem in the course of several weeks' deliberation (*General Assembly* [Sept. 13–Oct. 7, 1780], 284, 285, 296; *Legislative Council* [May 10–Oct. 7, 1780], 122, 123).

## To the Assembly

*September 14, 1780.* WL, in a lengthy and comprehensive message to the legislature, transmits several papers for their consideration. Among these are: a congressional resolution, a congressional circular letter, and a letter from George Washington to Congress concerning militia quotas, supplies, and currency;<sup>1</sup> a congressional resolution asking states to inform the congressional Committee of Cooperation of their efforts to comply with requisitions;<sup>2</sup> letters from George Washington to Congress dealing with provisioning problems;<sup>3</sup> a congressional resolution concerning the states' payment of \$10 million;<sup>4</sup> Washington's militia orders and a copy of a letter from Washington to Congress decrying the paucity of recruits;<sup>5</sup> a congressional resolution to provide financial aid for officers and enlisted men and their widows and children;<sup>6</sup> a congressional resolution urging states to raise taxes payable in new bills or specie;<sup>7</sup> and a certificate concerning the election of officers in Woodbridge and Piscataway.<sup>8</sup>

WL requests the legislature give these matters prompt attention.<sup>9</sup>

*General Assembly*, p. 258.

1. Congress ordered Samuel Huntington to send to the states a June 17, 1780, congressional resolution and a list of all resolutions passed since Jan. 1, 1779, concerning

militia quotas, supplies, and currency. The list was not found (*JCC*, 17:525). Refer to Samuel Huntington to WL, June 21, 1780 (Nj). A copy of George Washington's letter, dated June 19, 1780, was sent to WL by Congress. Refer to John Mathews and Nathaniel Peabody to WL, June 19, 1780 (Nj). Washington was eager to coordinate maneuvers with the French fleet, which was expected daily. He had asked the committee to gather information from the states about the availability of men, supplies, and transports. For the latest correspondence concerning military preparedness, see John Mathews to WL, Aug. 19, 1780.

2. For a description of the June 21, 1780, congressional resolution and the New Jersey Legislature's response, see WL to Samuel Huntington, June 28, 1780, 3:439–40.

3. Washington's letter to Congress dated June 20, 1780, was forwarded to WL by Samuel Huntington. Refer to Samuel Huntington to WL, June 22–23, 1780 (Nj), and George Washington to the President of Congress, June 20, 1780 (Fitzpatrick, *Writings of Washington*, 19:34–38). Washington described the embarrassment the lack of supplies and men caused him with the French and his fear that American soldiers would mutiny if further denied clothing and pay. In a letter to the Committee of Cooperation dated June 23, 1780, Washington requested that Pennsylvania and New Jersey supply wagons and teams to remove military stores from Morristown because of anticipated British advances into that area (Fitzpatrick, *Writings of Washington*, 19:57–58). For New Jersey's legislative reply to the request for teams, see WL to Philip Schuyler, John Mathews, and Nathaniel Peabody, July 26, 1780. For an account of British raids on New Jersey, see WL to Samuel Huntington, June 20, 1780, 3:436.

4. On June 29, 1780, Congress, prompted by the anticipated arrival of the French fleet, asked the states to forward their portions of the \$10 million needed to provision that fleet, as mandated in a May 19, 1780, resolution. For an earlier discussion of this issue see WL to the Assembly, May 22, 1780, 3:389–90.

5. Washington ordered the New Jersey militia to rendezvous on or shortly after July 25, 1780, and requested that the state complete its battalion quota of 504 men. Col. Silvanus Seely ordered the men to muster at Morristown by Aug. 1, 1780. See WL to George Washington, Aug. 17, 1780 (Fitzpatrick, *Writings of Washington*, 19:391–94). See also George Washington to WL, Aug. 17, 1780, and Elias Dayton to WL, Aug. 17, 1780.

6. The Aug. 12, 1780, resolution was passed in consequence of a petition from army officers to Congress (*JCC*, 17:725–27). For background on New Jersey's legislative action on provisions for widows and orphans, see WL to George Clinton, Apr. 3, 1780, 3:348.

7. On Aug. 26, 1780, Congress passed a resolution to prevent the issue of quartermaster or commissary general certificates and to render more effective the congressional resolution of Mar. 18, 1780 (*JCC*, 17:782–85). For New Jersey's response to the Mar. 18, 1780, resolution and other related financial issues, see WL to William C. Houston, May 24, 1780, 3:392. Despite legislative attempts to comply with the March 18 resolution, the rate of depreciation continued. The forty-to-one ratio established by Congress in March 1780 proved unrealistic. In April 1780 the ratio of old continental currency to specie was actually sixty to one and by July it had risen to sixty-two and one-half to one. On Sept. 29, 1780, the legislature passed a bill entitled "A Supplement to the Act, entitled, 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," which set June 9, 1780, as the date from which interest should begin on bills of credit (*General Assembly* [Sept. 13–Oct. 7, 1780], 261–63, 263–64, 265; *Acts* [Sept. 29–Oct. 7, 1780], 129).

8. Certificate not found. The residents of Woodbridge and Piscataway had requested a troop of horse because of their proximity to the British. The troop was to be completed within three months of the publication of "An Act to amend an Act, intitled, An Act for

the regulating, training and arraying of the Militia, and the Supplementary Act thereto," passed Mar. 18, 1780 (*Acts* [Feb. 26–Mar. 21, 1780], 66–69). If not completed in that period of time, the officers would forfeit their commissions and the troop would be disbanded.

9. WL's message was read in the house on Sept. 16, 1780, and considered further on September 19, at which time a committee was formed to deal with supply and militia problems. The currency issue was tabled and the hiring of teams and wagons was referred to WL and the council (*General Assembly* [Sept. 7–Oct. 7, 1780], 256, 257, 258, 263–64).

## To George Washington

Trenton 16 September 1780

Dear Sir

I this moment received a Letter from Colonel Holmes of the 14th<sup>1</sup> of which the following is an extract.

Yesterday afternoon a Fleet came too, back of Sandy hook, & by Information this day received, it is Admiral Rodney with twelve sail of the Line & 4 Frigates. The Person that gave me this Intelligence, says that the French Fleet from the West Indies are on the Coast,<sup>2</sup> & that five thousand British Troops are embarking at New York destined for Virginia.<sup>3</sup> They are to sail for the 25th Instant. A Ship went from the hook to New York this morning said to be a French Frigate taken by Admiral Rodney's Fleet."

Tho' your Excellency has *probably* had the Intelligence of Admiral Rodney's Arrival, & *undoubtedly* of the rest of Colonel Holmes's Information, I thought it my duty to the public in an affair of such Moment, not to rely on Probabilities but to dispatch an Express to your Excellency on the occasion & have the honour to be with the greatest respect Dear Sir your Excellencys most obedient Servant

WIL LIVINGSTON

ALS, DLC:GW.

1. Refer to Asher Holmes to WL, Sept. 14, 1780 (NN), for full text.

2. The first detachment of the French fleet was anchored off Newport, R.I. For news of its arrival see Robert Morris to WL, July 29, 1780. The Americans waited in vain all year for the arrival of the second detachment of the French fleet under the command of Count de Guichen. Refer also to William C. Houston to WL, Sept. 14, 1780 (NN), for another report on the French fleet. The sixteen vessels which arrived off Sandy Hook on Sept. 14, 1780, were British ships under the command of Adm. George Brydges Rodney,

sent to reinforce Adm. Marriot Arbuthnot's fleet. Refer to George Washington to Samuel Huntington, Sept. 15, 1780, which briefly notes Rodney's arrival and the British capture of a French frigate (Fitzpatrick, *Writings of Washington*, 20:49, n. 1). A notice of Rodney's arrival was published in the *N.J. Journal*, Sept. 16, 18, 1780.

3. British Maj. Gen. Alexander Leslie and 2500 to 3000 troops embarked from Sandy Hook on Oct. 16, 1780, for a diversionary expedition in the southern states (Smith, *Historical Memoirs*, 2:340). The British, following their May 12, 1780, victory at Charleston, had scored significant gains in South Carolina during the summer of 1780. American patriot militia resistance forces, led by Thomas Sumter, Frances Marion, and Andrew Picken, unsuccessfully harried British forces in that state in July. On July 25 Gen. Horatio Gates took command of Baron de Kalb's force of Maryland and Delaware continentals. After being reinforced with North Carolina and Virginia militia, Gates decided to attack the British forces under the command of Lord Francis Rawdon at Camden, South Carolina. Cornwallis, with a contingent of troops from Charleston, marched to Rawdon's assistance on August 10. On August 16 Cornwallis attacked the Americans and scored a decisive victory, capturing, killing, or wounding almost two thousand men and forcing Gates to retreat to Hillsborough. Cornwallis then sent dragoon commander Lt. Col. Banastre Tarleton in pursuit of Sumter's men, who comprised the only significant patriot force remaining in South Carolina. Tarleton's dragoons caught up with Sumter's forces on August 18, killed or wounded 150 men, and took 300 prisoners. Patriot opposition was thus virtually eliminated in South Carolina and Cornwallis was free to move on to North Carolina and Virginia. On Sept. 8, 1780, Cornwallis began to march toward Charlotte, North Carolina. Clinton sent Leslie to Virginia to insure that American forces were cleared from Cornwallis's path. Washington knew about the British troop movement even before WL wrote. Refer to George Washington to Thomas Jefferson, Sept. 11, 1780 (Fitzpatrick, *Writings of Washington*, 20:30–31).

### To Timothy Pickering

Trenton September 18. 1780

Sir

Colonel John Nielson whom you have appointed Quarter Master for this State is an excellent man, & one who I believe will give general Satisfaction. But unless there is a necessity for the Executive of this State immediately to approve or disapprove of your appointment, I had rather defer the matter three or four days,<sup>1</sup> for further consideration, & shall then do myself the Honour of transmitting to you the result of my Consideration.<sup>2</sup>

ADf, NN.

1. WL had recommended Silas Condict to be deputy quartermaster general for the Continental army in New Jersey. See WL to Timothy Pickering, Aug. 17, 1780. Refer also to Abraham Clark to WL, Aug. 19, 1780 (NN). Pickering's reply to WL, dated Sept.

18, 1780 (NN), thanked Livingston, but noted that Neilson had already been appointed. For announcement of Neilson's appointment, refer to *Pa. Packet*, Sept. 13, 1780.

2. WL approved Neilson's appointment. Refer to John Neilson to Board of War, Oct. 27, 1780 (DNA:PCC 6: 217).

### From Cornelius Stout

Amwell September 18th 1780

Sir

We have seen your Excellency's second Request<sup>1</sup> directed to Maj. Stout the Reason of our not answering the first was on our Meeting we was alarmed by the Enimys Excurtion to Connecticut farms<sup>2</sup> which frustrated our Disign Till the Legislature which was then Sitting Broke up<sup>3</sup> and since that we Concluded to Refer to the Next Sitting we are Oblige to acquaint your Excellency we was not a Little surpris'd at your Request in Desiring us to send in the Particular actions of which Col. Chambelin is Guilty and for which we Refused to Obey his Orders after being so well informed of your Excellency's Disapprobation of Col. Chamberlins Conduct<sup>4</sup> as Such an Officer such a Number of Charges Recorded & by us Supported against him we Did Not Expect would be Passed over in Silence and New Charges Requested and the Reasons of our Disobeying his orders what your Excellency's Opinion of these Charges May Now be we know not yet we Must believe that your Excellency once thought they were sufficient to Prevent Him from acting as such an Officer till he made publick Satisfaction<sup>5</sup> therefore we are able to support more Charges of the same Nature against him but if such Conduct Can Pass with Impunity our Labour will be but in Vain and altho the former abuses were Cheifly Pointed at Col. Chambers yet the same line of Conduct is Excercised Towards us how your Excellency Might be imposed on by Col. Chamberlins Crafty insinuations and frequent addresses we know not but are Certain that we who are best acquainted with him Can form the best Judgment of the Man. Your Excellency may Remember that it was Col. Chamberlins Tyranical Disposition and unjustifiable Conduct that was the sole Cause of our Complaints and we think by the former Charges Already Recorded and the following your Excellency and the Honorable Council and assembly May be able to form a Just Judgment whether Col.

Chamberlin ought to Continue and we Submit to his Lawless insults or whether he ought to be Removed.

The Charges are as follows—

His unsufferable abuses such as Calling us Dirty Scoundrels Snot Nose Raschals and that he would Make us swallow a Cud<sup>6</sup> as big as his fist and that he would make us obey all his Commands Even to Murdering a Man.

His Impeding the Militia to March on a General alarm only to gratify his ill humours.

His Taking salt out of the kings Stores at Princetown and Converting of it to his own use.

His Issuing Orders Contrary to his Superior Officer and throwing the Battalion into Confusion.

His Issuing Orders for Detaching a Number of Men to [ . . . ] on Duty the 29th. of March 1780 and the 28th. of the Same month arresting the officers and Preventing them from doing duty till Tried by a Court-Martial and his Returning a Number of the Captains to find the 6th. of April following £27. for Neglecting Making a Return of the state of their Companys in the Month of March Preceding and omitting others Guilty of the same Neglect.

His Calling the Officers of this Regiment a Pack of Cowards and that they would Desert their Commander if Brought to Action.

CORNELIUS STOUT

ALS, MII.

1. For the initial request by WL for particulars see WL to Cornelius Stout, June 8, 1780, 3:422. No second request has been found.

2. For reports on battles at Connecticut Farms see WL to Tench Tilghman, June 9, 1780, 3:424.

3. The assembly was recessed from June 19 until Sept. 13, 1780.

4. See William Chamberlin to WL, Aug. 26, 1780, n. 5.

5. There is no public record of such action by WL. See WL to the Assembly, June 5, 1780, 3:415. Chamberlin was involved in a dispute with Col. David Chambers in 1778 (*General Assembly* [Oct. 28, 1777–Oct. 8, 1778], 164). In addition, refer to “Petition of Captain James Stout and others to WL,” to remove Lieutenant Colonel Chamberlin, Oct. 4, 1779 (*NJA*, 636).

6. swallow a cud: to swallow a chew of tobacco.

## To George Washington

Trenton 23d September 1780

Dear Sir

It appears by your Excellency's Certificate of the 11th instant, & Mrs. McKay's Letter of the same date to me enclosing it,<sup>1</sup> that she has utterly misapprehended me on the Subject of her Pass to New York.<sup>2</sup> It never entered into my thoughts to tell her (as she says in her Letter I did) that I would grant her my Permission to go "to New York if General Washington would signify his Approbation." What I told her was that as all her Recommendations to me came from Gentlemen in the Army,<sup>3</sup> I thought it most proper for her to apply for this Permission to his Excellency the General, who, if he thought proper to grant the Pass, would give no Umbrage by it to the executive Power of this State; & that I wished no Delicacy towards me might prevent him from doing it, if he otherwise thought it expedient, as I had no objection against it; but that as to myself I should never grant it save on the Terms of the Removal of the whole Family, & their Engagements not to return into this State during the war.<sup>4</sup> This I did; in order to prevent farther mistakes, & on the present repeated Application of that Lady & her Friends in the Army for a Pass from me; I take the Liberty to communicate to Your Excellency. If any of our Officers are under Obligation to Mrs. McKay or her husband, I am sure the State of New Jersey is not. I have the Honour to be with the highest Respect Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

P.S. your Excellency, will not I hope understand that my reason for refusing Mrs. McKay the Pass, was because she was recommended by the Gentlemen of the Army (tho' I think some of them have been rather too importunate in the Case) to whose Recommendation I shall always pay proper Attention. But it is really against my Judgment to let her go—she is not intitled to any Favour from this Government—and her disaffection to our Cause, as well as her capacity to do mischief if she pleases, is so well known to the People, that an Indulgence to her which

is almost daily refused to some of the best Friends to America, would naturally give general Disgust. But upon the Score of her Civility & good Offices to the Military, the like Favour from your Excellency, would doubtless be more readily acquiesced in.

ALS, DLC:GW.

1. On Sept. 11, 1780, Elizabeth McKay (or Mackie) wrote WL concerning her application for a pass to New York. See Charles Stewart to WL, July 31, 1780. Mrs. McKay enclosed Washington's permission in her letter. Refer to Elizabeth McKay to WL, Sept. 11, 1780 (NN). Enclosure not found.

2. No direct correspondence between WL and Elizabeth McKay has been found.

3. WL is referring to Charles Stewart, commissary general of issues.

4. For previous correspondence relating to WL's policy regarding passes, see WL to George Washington, May 18, 1780, 3:382. WL did, however, intercede with New York governor George Clinton on behalf of his sister, Catharine Lawrence. See WL to George Clinton, Aug. 18, 1780.

### From Richard Somers

Great Eggharbour September 26th 1780

Sir,

I have befour me Your Letter & Order dated at Morris Town the 19th of August last<sup>1</sup>—which I Received yesterday. I have done Every thing in my Power to send the men agreeable to Orders<sup>2</sup> but it is not in my Power—by Reason of the Frequent alarms a long shore acasd by the Refugees [ . . . ] which are Dayly Passing threw the sound—and Taking from the Inhabitance on the Beaches such things as they Like. One Boats was a few Days ago Attempted to Supprize Capt. Connover—by Secreting them selves in a small Creek near his House but was Discovered befour they could put their plan into Execution. We took one of the Prisinor the others made than Escape.<sup>3</sup> On Sunday morning Last Instant a Small Schooner was Run on shore by three Refugees he was on thair way to new York. They made thair Escape from the Vessall into the woods but was Parsued by the Militia and Taken at about 10 miles Distance and sent to goal. They a pear to be part of Capt. Collings.<sup>4</sup> One that went from New York in a large Boat with 36 men. They took the Schooner Saley from one Mr. Woodford<sup>5</sup> in Potomok River East shore in Virginia Loaded with fish and also a Sloop Laden with flower. They throad the fish over bord and tuck in the

Flower and Burnt the Sloop as also Several Other small vessels they Landed at the mouth of Potomok on Sunday morning the 17th Instant and Plundered Mr. George Troblerfield of a Considerable quantity of Spice and near all his goods and two Negroes. The said Vessel with 50 Barrels of Flower and two Negroes are safe. Such is the case a long the Sea Cost. Our Inhabitation Keeps Gards Constantly a Nights a long shore. I am Sir your Humble Servant

RICHARD SOMERS

ALS, NN.

1. Letter not found.
2. See WL to Colonels of the New Jersey Militia, July 17, 1780, for orders to assemble the militia.
3. For a description of this incident, refer to *NJA*, 2d ser., 4:63, Sept. 11, 1780.
4. James Collins of New Brunswick.
5. Captain William Woodford.

From William C. Houston

Philadelphia 27 September 1780

Sir,

I shall come too late to give your Excellency the first Information, for doubtless you will have heard, of the infernal and traitorous Plot just discovered. The strong Fortress of West-point, with the Garrison, was within a few Hours of being betrayed to the Enemy by that Miscreant Arnold,<sup>1</sup> and, notwithstanding the Discovery, may still have fallen, but I hope not. The villain is fled to the Enemy; and Major André,<sup>2</sup> the British adjutant General was seized as a spy, I think at the Fort; the Letters are not circumstantial. The apprehension of this Officer led to the Discovery of Arnold, but not being present at the Time, and the Affair of André making some stir, he made his Escape before he could be laid Hold of.<sup>3</sup>

This Man has been long wearying Congress about the Allowance of a voluminous Amount of Expenditures in Canada and elsewhere, trumped up with a view of cheating the Publick out of a large Sum of Money, but by the Firmness and Attention of the Chamber of accounts and the Treasury-board; and the resolute opposition of a great Majority of the Members of Congress, he has been disappointed.<sup>4</sup> Probably he

has found better Success in getting Money from the Enemy; his dissipated and expensive Course of Living in this City, for fifteen Months past, has so involved and impoverished him that money was probably become very necessary to him.<sup>5</sup>

Some Time Since he went to the Army, where the Commander in Chief, in forming the Line for this Campaign, assigned him the Command of a Division according to his Rank which is well forward in the List of Major-Generals. Being lame with the wounds he received at Saratogha, and not so fit for Duty on Horseback, he made this a Plea, and requested the Command of West-point, as better suited to his Condition for Service. The General, in Consideration of his services heretofore which indeed have not been few nor small, assented. Here, no Doubt, he expected to put his Treachery in Practice and the Time of the General's Absence at Hartford, to which Place he went to have an Interview with the Comander of the French Armament at Rhode-Island was probably fixed upon as most proper and convenient.<sup>6</sup> It was contested with Clinton that an Attack should be made on the Fort, which Arnold, with the best Face he could put on the matter, would have given up. Thus he would have been an ostensible Prisoner, received his Wages as a Traitor, and eventually disposed of himself as he [pleased?] On the night of the 25th instant when the horrid villany was to have been put in Execution. Lt. Colonel Hamilton,<sup>7</sup> one of the General's Aids, and principally employed in making the Discovery, has behaved with much Credit. He dates his Letter to General Green from Verplank's Pointt whither he pursued Arnold, but a little too late, the 25th, and General Greene [taly?] to Congress the 25th 11 o'Clock at night. What has taken Place since we know not. The Express rode all Night, and I should have wrote your Excellency this morning, but that strict Secrecy was comanded till Measures were taken to Seize his Papers, and his Accomplices, if any, in Town or near it. About 9 o'Clock in the Forenoon his House was taken Possession of by a strong Guard, and his Papers secured. The Examination is not finished. If he has any Accomplices here they will be detected, unless they save themselves by Flight previous to Suspicion. He had many Tory-relations and Acquaintance in and about Town, the Consequences of his marrying into a Tory-Family,<sup>8</sup> but it is not likely he has trusted any of them with the Secret. One Letter written to his wife after he went to the Army, tells her by all Means to sell off everything for hard Money, and

come to him; there is Nothing more direct that I know of as yet. His Wife went to him about the Time, but there are Circumstances which look as if she was not acquainted with his Intentions, if he had indeed formed any precise Scheme at that time. This however is only my Conjecture. He has, in all likelihood, his most material Papers with him at the Army, where they will be thoroughly searched for. As to Persons concerned with him it is a Doubt with me whether he trusted many. They say Thomas Smith, Brother of William, has gone off with him.<sup>9</sup> Having the Chief Command of the Fort, it was not so necessary to form a Party. A little time will give us the Particulars when they will be circumstantially made publick.

People of this sort have their Connections and Lines of Communication through the Country; if any Persons in New-Jersey fall under Suspicion, I hope your Excellency will have them seized without ceremony.

In what a Situation must General Washington be contending with such an unprincipled Castoff as Cha[?]ton. The meanest of the Sons of Men, who is above Nothing however infamous, diabolical and unmilitary. An Adjutant General, taken as a Spy in an Enemy's Camp is really Food for Story, and must make a Figure there, especially if he is hung up for his Pains, the inevitable Consequences by the rules of war. I am, your Excellency's obedient servant

WM CHURCHILL HOUSTON

ALS, NN.

1. Benedict Arnold had been in command of West Point since Aug. 3, 1780. See William Alexander Livingston to WL, Aug. 17, 1780.

2. Major John André, Sir Henry Clinton's aide-de-camp, had been negotiating with Arnold since July 1780 to secure the surrender of the garrison at West Point.

3. Arnold had taken part in the 1775 American expeditions against the British at Ticonderoga, Crown Point, and Quebec. He claimed Congress owed him £2,000 for unsubstantiated expenses incurred on these expeditions. In addition, he petitioned Congress for £5,000 for his expenses as commandant of Philadelphia during a nine-month period in 1779 (*JCC*, 15:1181, 1366, 16:393n).

4. André and Arnold met on Sept. 22, 1780, to complete arrangements for the surrender of West Point. André was captured by militiamen John Paulding, Isaac Van Wart, and David Williams as he attempted to make his way back to British lines. Arnold heard of André's capture on Sept. 25, 1780, and fled to the British in New York City before Washington learned of his treason. On Oct. 2, 1780, André was tried and hanged as a spy at Tappan. In a resolution passed Nov. 3, 1780, Congress gave André's captors silver medals and voted each \$200 in specie annually (*JCC*, 19:1009–10).

5. Arnold opened negotiations with the British in the spring of 1779.

6. George Washington met with the Comte de Rochambeau and Chevalier de Ternay in Hartford on Sept. 20, 1780 (Fitzpatrick, *Writings of Washington*, 20:42).
7. Alexander Hamilton, Washington's aide-de-camp.
8. Arnold married Margaret Shippen on Apr. 8, 1779. The Shippen family of Philadelphia were British sympathizers.
9. The Sept. 22, 1780, meeting between Arnold and André took place in the Haverstraw house built by Thomas Smith, brother of Loyalist William Smith. In 1780 the house was occupied by another brother, Joshua Hett Smith, who was accused of aiding Arnold. Neither Smith brother accompanied Arnold in his escape down the Hudson on the British sloop *Vulture* (Smith, *Historical Memoirs*, 2:339, 339n).

## To the Board of War

Trenton 29 September 1780

Gentlemen,

At the Meeting of the Legislature at this place, we found here a certain Mr. Joel professing himself to be an Officer in the British Army, and to have deserted from it to offer his Service to these United States.<sup>1</sup> He has not hitherto (perhaps for want of Opportunity) given such proof of the Rectitude of his Intentions as we could wish to have previous to our placing any Confidence in the Professions of a Gentleman so peculiarly circumstanced. Trenton is deemed a very improper place, especially during the sitting of the Legislature, for the Residence of any person of dubious Character. Nor indeed can any place in this States, considering its extent of frontier and Proximity to the Enemy & the Opportunity thence resulting for maintaining a Correspondence with them (should he be so Disposed) be thought a proper Abode for such doubtful Characters. I have therefore by the Advice of Council,<sup>2</sup> sent him to your Board to be disposed of in some interior part of the Country where he cannot with equal probability of Success carry into Execution any pernicious designs (if such he has) against the Liberties of this Country. I am Sirs

WIL. LIVINGSTON

Lcy, PHarH.

1. For background on Joel see two letters, B. Edgar Joel to WL, Sept., n.d., 1780.
2. The council on Sept. 29, 1781, advised WL to send Joel to Philadelphia (*NJA* [Privy Council], 3d ser., 1:172).

## To George Washington

Trenton October 1780

Dear Sir

I most heartily congratulate your Excellency upon the timely Discovery of General Arnold's treasonable Plot to captivate your Person, & deliver up West Point to the Enemy; of which the Loss of the former, had his infernal Mackinations succeeded, would have been more regretted by America, than of the latter.<sup>1</sup> The remarkable Interposition of Providence to frustrate the diabolical Conspiracy will inspire every virtuous American with sincere Gratitude to the Great Arbiter of all Events; and I hope, not a true Whig amongst us will ever forget the memorable Era when we were, by the peculiar Guardianship of Heaven, rescued from the very Brink of Destruction. I have the Honour to be with the Highest Respect Dear Sir your Excellencys most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. For a detailed account of Arnold's treason and escape and André's capture, see William C. Houston to WL, Sept. 27, 1780. For the reaction in Philadelphia to Arnold's treason, refer to William C. Houston to WL, Oct. 2, 1780 (NN). According to WL's erstwhile friend William Smith, Jr., Sir Henry Clinton was to have paid Arnold substantially for the fort's acquisition and also hoped to capture both Washington and Rochambeau. Moreover, Clinton regretted the plot's failure because he had hoped it would bring an immediate end to the war (Smith, *Historical Memoirs*, 2: 335; Fitzpatrick, *Writings of Washington*, 20:97–99).

## From Henry Brockholst Livingston

Madrid 12th October 1780

Dear Sir,

Having already written to You this morning<sup>1</sup> I have only to request Your care of the enclosed for Kitty<sup>2</sup> which will go by another Vessel.

No Treaty has yet Taken place. This Court will do nothing decisive. England is trying hard to detach her from France. She has an Agent

here who has promised them Gibraltar, & some other douceurs for this purpose.<sup>3</sup> If we may beleive the Minister, His Majesty is determined to stick to France. The King has promised Mr. Jay his Responsibility to assist him in procuring a loan of 150,000 dollars to discharge some of the Bills drawn on him by Congress.<sup>4</sup>

With My letter of this morning You will receive a Letter for Colonel Troup,<sup>5</sup> one for Mrs. Linn,<sup>6</sup> and another for Kitty. I beg leave to refer You to these and am, Dear Sir, Your dutiful Son

HARRY BROCKHOLST LIVINGSTON

ALS, NN.

1. Earlier that day Brockholst had sent a letter to WL wherein he rebuked his family for their "taciturnity" in writing, and commented on the bleak state of Spanish finances and treaty negotiations. Refer to Henry Brockholst Livingston to WL, Oct. 12, 1780 (NN).
2. WL's daughter, Catharine Livingston.
3. Sir John Dalrymple, a self-appointed representative of Britain, had offered Gibraltar to the Spanish in exchange for the Canaries. For further details of his proposal see Henry Brockholst Livingston to WL, July 12, 1780.
4. Final word from England that Gibraltar was not subject to negotiation brought the Spanish court to view amicable relations with America more favorably. Spain extended the sum of \$150,000, payable over three years, to provide payment for bills already drawn by Congress on John Jay. For a discussion of Spain's previous reluctance to extend financial aid, see Henry Brockholst Livingston to WL, July 12, 1780.
5. Robert Troup.
6. WL's daughter, Mary Linn.

To Susannah French Livingston

Trenton 17 October 1780

Dear Sukey

I lately sent you two thousand dollars by the Express Miller, besides the one thousand which I had sent before. Of the last you have not acknowledged the receipt. If you have received them, you will tell me so by this Opportunity. I can send you two thousand more.

I also send you two Halters, which you may not be able to get so easily in Elizabeth Town, & a summer waistcoat [ . . . ] for which I have no farther Occasion. I lately sent to Mr. Pearson for my winter blue wais[tcoat] & Breeches. They sent the Breeches, but said the waiscoat was not there. If it is at Elizabeth Town, pray send it by the Bearer, as also my flannel shirt, for I have no winter waiscoat with me, and I do not know what I shall do for the want of a winter coat.

If I should not be so chosen in the Government I purpose to spend the winter at Raritan to refresh my memory with the Law and to practise it as soon as I get Business. But if I should be chosen, & the Assembly make it worth my while,<sup>1</sup> I intend to take lodgings in this place, as the most safe, & most convenient to the people for doing Business who now complain that they do not know where to find me. Also send you a parcel of peach stones, lest the late Troubles of the family should have prevented you from saving any. They should immediately be put into a Box with earth, & set out of doors, or [ . . . ] of a Box be then be put into a hole in the garden, with some mark to find them again in the spring.

I congratulate you on the Birth of your Spanish grand daughter.<sup>2</sup> Mr. Jay has wrot me such a funny Letter about the Child's name that I send you a Copy of it.<sup>3</sup> I am your most affectionate husband

WIL: LIVINGSTON

AL, MHi.

1. On Oct. 31, 1780, the N.J. Legislature reelected WL governor for the ensuing year. For background on WL's salary, see WL to Josiah Hornblower, Nov. 1, 1780 (*Acts* [Oct. 24–27, 1780], 7, 12).

2. For news of the child's birth, see Henry Brockholst Livingston to WL, July 12, 1780.

3. Refer to John Jay to WL, July 14, 1780 (NN).

### From George Washington

*Headquarters near Passaic Falls, October 18, 1780.* George Washington notes that because of the discharge of large numbers of men in January 1781 the army will be weakened by attrition. He urges they be replaced with the new state quotas established by Congress.<sup>1</sup> Washington concludes that America is unable to defeat the British because of short enlistments. He believes establishment of a small, permanent professional military force will persuade Great Britain to negotiate a peace treaty.

ALS, NjP.

1. Congress on Oct. 3, 1780, resolved to set state regimental quotas. New Jersey was to furnish two regiments of infantry, with each regiment consisting of nine companies of sixty-four noncommissioned officers and privates. A second congressional resolution was passed Oct. 21, 1780, to increase the cadre of officers in infantry regiments (*JCC*, 18:893–97, 959–62).

## From Abraham Clark

Philadelphia October 22d. 1780

Sir,

Reports very likely have reached you of our Obtaining an important Advantage over the Enemy in Carolina.<sup>1</sup> The particulars are contained in several letters<sup>2</sup> the Copies of which I enclose. The whole intelligence depends upon the Veracity of Major Tate,<sup>3</sup> which, as he was well known to Generals Davidson<sup>4</sup> & Summer<sup>5</sup> and the Action at no great distance from them, and they give it as authentick, it Obtains full credit here, no mention is made of the Enemys baggage, which if their Capture is true no doubt fell into our hands.<sup>6</sup> The Numbers killed & taken falls considerable short of the Number they are Stated at,<sup>7</sup> and yet the Number of Arms said to be taken exceeds their Number of Troops in the first case part might have escaped, and in the latter, they might be carrying spare Arms with them.<sup>8</sup> These matters must be left to be cleared up when we Obtain more particulars relative to the affair. The killed, prisoners,<sup>9</sup> and number of Arms I suppose Major Tate gives by conjecture only, and not from any Actual Account taken, which when ascertained may differ considerably. The Copies I did not take with a view of sending from me or they would not have appeared quite so rough.

With this good News, we also received this day disagreeable intelligence from the Northward: Butler & Brandt with a Number of British & Tories had made an incursion from Canada, Landed at the head of South bay taken Fort Ann and Fort George with their small garrisons: The same or another party from the Westward had invested Fort Schuyler but had not ventured upon an Attack. Some Continentals with the Militia were on their March to relieve the Fort. The Enemy had burn'd many houses, barracks of grain, hay etc. in their rout.<sup>10</sup> This expedition Governor Clinton thinks was intended as a Cooperation with the british up the North River in Case Arnolds Treachery had succeeded which being defeated he thinks they will make but a short stay.<sup>11</sup> Two of the Saratogas prizes it is said have arrived just in the River and are coming up of the other no Certain intelligence hath been received tho' some think she is got into [ . . . ], as such a like vessel was lately seen, as Supposed standing in there.<sup>12</sup>

Congress lately Agreed upon a reduction of the Continental Regiments granting to all reduced Officers one Years pay. Since which they have engaged half pay for life to all such.<sup>13</sup> The Natural Consequence you may be sure was to grant the half pay for life to all that continued in the service. This proceeding extraordinary as it is met with no Opposition but from the four New England states & New Jersey, the Opposition from one of the Eastern states was but feeble.<sup>14</sup> It give me inexpressible pain to see Congress Sporting away the publick money and increasing our debt at the very time we are in a perfect State of bankruptcy. Were our Finances in ever so good a state, the Measure is inconsistent with our ideas of liberty and Maxims of Government to pension for life such a Number among us: it is also unjust with regard to those who were not long since dismissed on one years depreciated pay without the depreciation made up to them for the time of their service; and many others through Necessity, want of capacity, or ill treatment have been lately left the Army without any future Allowances or depreciation of money for past Services granted to them. Congress appears to be tumbling down fast and will I believe soone retain no more than a Name and that I fear not a good one. Some late appointments in the Medical Line will not I believe add much to their decayed Reputations. But I shall say no more on this disagreeable Subject, Assuring Your Excellency I am with due Respects Your Obedient & Humble Servant

ABRA. CLARK

ALS, NN.

1. Clark is probably referring to the Oct. 8, 1780, battle of King's Mountain. Cornwallis had coordinated his movements from Camden to Charlotte with those of Maj. Patrick Ferguson's Loyalist forces, who were pursued by patriot militiamen led by Col. William Campbell. Ferguson planned to join Cornwallis in Charlotte but on October 6 decided to defend King's Mountain. On October 8 Campbell's 1100 militiamen attacked and scored a decisive victory over a like number of Loyalists. For previous reports on the southern military campaign, see WL to George Washington, Sept. 16, 1780, n. 3.

2. Letters not found.

3. Either Capt. Waddy Tate of North Carolina or Capt. Robert Tate of the South Carolina militia.

4. William Davidson.

5. Jethro Sumner.

6. The Loyalist baggage was divided up by the patriot militia on Oct. 11, 1780.

7. The American casualties at King's Mountain were 28 killed and 60 wounded; the British Loyalist force had 225 killed and 197 wounded.

8. The British reported the 1100 Loyalists at King's Mountain lost 1500 muskets and other arms.

9. At least six hundred Loyalists were captured. Of these, 470 escaped on a thirty-mile forced march or while they were held prisoner at Bethabara.

10. The British force was composed of eight hundred regulars, Canadians, and Indians, the latter led by the Mohawk chief Joseph Brandt and superintendent of Indian affairs, Col. John Butler. The force captured forts Ann and George in October 1780 and then moved to Saratoga, burning patriot houses en route. The Brandt- and Butler-led Mohawks then attacked the pro-American Oneidas in the Schoharie Valley, destroying Oneida homes and crops.

11. The British had retreated to Lake Champlain by November 1780.

12. WL's son John Lawrence had been commissioned a midshipman on the *Saratoga* in April 1780. See WL to Robert Morris, Apr. 19, 1780, 3:361–63.

13. Refer to congressional resolution of Oct. 21, 1780, which directed that officers who served until the end of the war would be entitled to half-pay for life (*JCC*, 18:959).

14. Massachusetts, Connecticut, and New Jersey were the only states to vote against the half-pay measure (*JCC*, 18:959).

## To George Washington

Trenton 23d October 1780

Dear Sir

I am just honoured with your Excellency's Favour of the 18th<sup>1</sup> Instant, which shall be laid before the Legislature without Loss of time.<sup>2</sup> I hope your Excellency's reasonings upon the Subject of our Embarrassments may have the weight they justly deserve, & happily prevent our longer continuing under the Delusions which have hitherto made the Independence of America a contested Point. I have often been chagrined at the Propagation of the mischievous Doctrine that the Enemy had given over all Idea of Conquest. I am confident they never had more Sanguine Expectations of it, than at present; and perhaps never entertained the Idea upon better grounds. I do not by this Observation mean to insinuate that I [have?] the least apprehension of the Probability & scarcely of the Possibility of such an Event, in Case the States make such Exertions as the Situation of our affairs requires; but upon the Supposition that we continue to prosecute the War agreeably to the System hitherto persued. For as such Conduct on our part will undoubtedly induce them to protract the Dispute, & as the War by that means will soon become the measuring of the Length of our respective Purses, instead of that of our Swords, I am convinced from the State of our Commerce, & the number of our intestine Enemies, that the final Establishment of our Liberty principally depends upon such Exertions

as will compel them to a speedy Peace. I have the honour to be with the greatest Esteem Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. See George Washington to WL, Oct. 18, 1780, n. 1.
2. WL sent Washington's letter to the Assembly on Nov. 1, 1780. The letter was reread on Nov. 7, 1780, and referred to a committee. On November 10 the committee drafted a bill to raise the state's quota of continental troops, previously set by Congress in resolutions of Oct. 3 and Oct. 21, 1780. A revised quota bill was passed by the assembly on Dec. 26, 1780 (*General Assembly* [Dec. 16, 1780–Jan. 9, 1781], 76, 78, 81–83).

### “Scipio”

[October 25, 1780]

To the LEGISLATURE of the STATE of  
NEW-JERSEY.

GENTLEMEN,

You are now by the free voice of your country chosen to a most important trust, and permit me to assure you that in the present situation of affairs, you have undertaken a most arduous task, many (perhaps most) of you new to the business of legislation, and the science of government, and in a great measure unacquainted with the situation and circumstances of the various parts of the state which you are appointed to govern; thus circumstanced, I make no doubt you will accept in a friendly manner, such observations as I may be able to make on the present situation of the state; and if I should go farther, and point out what appears to me the most probable method to extricate us from some of the difficulties under which we at present labor, I hope your candor will excuse me, as my observations will be entitled to your regard no farther than they are supported by reason and your own observation.

Deeply interested as I am in, and penetrated with the distresses of my country, I cannot restrain the inclination I feel to contribute my mite to her relief.

Never was a people more unprepared for the prosecution of a war than were the people of this continent at the commencement of the present; no foreign connections, no arms, no ammunition, no money,

nor (being shut out from foreign trade) had we any prospect of procuring it; nevertheless, determined at all risks to be free, we bravely ventured, nothing doubting but that a determined resolution would enable us to surmount every obstacle which could present itself; our internal resources were evidently great, and the spirit of the people was such as rendered it easy to draw them out.

In this situation to supply the exigencies of the times, and furnish the general treasury, until it could be supplied by taxation and other proper methods, Congress fell upon the expedient of emitting bills of credit, on the faith of the United States; an expedient which in similar cases had been practised by most of the states with success; at the same time wisely calling on the several states to redeem their proportions of the same at certain fixed periods: But, alas! here we failed; the several states, instead of securing proper funds for their redemption, left them to mere hazard for support.<sup>1</sup>

The frequent calls on the treasury, in the prosecution of the war, and the backwardness of the several Legislatures to raise money for its supply, made repeated emissions necessary: Congress being but men, and not foreseeing the consequences, nor sufficiently considering with how much more facility they could emit than recall those bills, were perhaps too lavish in their emissions; their purchasers likewise finding money came free, expended it as freely; the people too finding their pockets stored with cash, which came easily to them, and for which they had little other use (not being inclinable to hoard it, and no taxes being called for) could not deny themselves the pleasure of possessing whatever they set their hearts upon, be the price what it might. Thus the prices of every thing increased in the compound ratio, of the quantity of cash in circulation, and the suspicion which that increasing quantity (still unfunded) created, that the same would never be fully redeemed, or in other words, the money depreciated in the same proportion. Speculators soon saw the advantage, nor did they fail to make use of it; what they purchased to-day, they could pay for to-morrow with half the value: Thus speculation grew common, and to promote the depreciation became the interest of a considerable part of the community. I am not unaware that many other circumstances have contributed to the depreciation; what I have stated, I conceive to be the grand source from which every other spring has taken its rise.<sup>2</sup>

Many designing and some deluded people thought matters went on

swimmingly, and would fain persuade us that the depreciation was the most equitable tax that could be laid, that it would collect itself, and not only so, but would in the end wipe off the whole load of debt from the continent; nor would they believe a self-evident truth, that we should first ruin a multitude of worthy individuals, and in the end bankrupt ourselves.

Congress at length, alarmed at the amazing depreciation, and convinced from what source it sprang, determined to stop further emissions, and repeated their solicitations to the several states, in the most pressing manner, to furnish them with the necessary supplies for carrying on the war.<sup>3</sup> The Legislatures of the several states, probably from various causes, went into the motives of Congress very slowly (that of New-Jersey however by far too slowly) the consequence of which was, the publick treasury was soon exhausted, and credit was necessarily substituted to cash.

New-Jersey at length awakened to see her true interest, determined on taxation with spirit: but, alas, too late! the public treasury being exhausted, contracts of every kind were made on credit; to secure the payment of which, certificates were issued from the several offices. Here New-Jersey becomes the sufferer. The army, which had almost from the beginning of the war, lain within this state and its vicinity, was our market, and had till now, rendered money plentier in this state, than perhaps any other in the union (which by the way, pointed out the propriety of taxation during that time) had now a quite contrary effect; the necessaries furnished to, and services performed for them, instead of procuring the cash, procured nothing but certificates, and while other states, at a greater distance from the scene of action, had it in their option, either to furnish the army or turn their labor and produce into some other channel, more for their present interest. Jersey had no alternative, furnish them we must, or abide the consequence: Nay, the remoter parts of the state, out of compassion to their fellow-subjects in the vicinity of an army in want, could not but furnish them with every thing in their power.<sup>4</sup> Thus every part of the state is reduced from its former plenty of cash, to a real scarcity, having little else to shew for the produce of their labour but certificates. This is not only a burden in itself, but renders the taxes burdensome. Had they been laid while the money was plenty, they might have been paid with ease; but now that the money is drained from us, they are paid (where at all paid) with

difficulty and murmuring, many who have certificates to a considerable amount, being so bare of cash as to be unable to pay, without disposing of something materially injurious to their families.<sup>5</sup>

This then is the present situation of New-Jersey, drained of supplies, drained of cash, over-run with certificates, and burdened with taxes; as a state indebted to the continent, at the same time that the continent is immensely indebted to the individuals which compose it.

Perhaps this may be called a dreadful picture, but it is nevertheless true, nor is there anything in it so very alarming, the people have virtue enough, if our rulers have but wisdom and steadiness, to extricate us from all these difficulties, and make us yet the happiest people under the sun. My next shall convey my idea how this is to be done.

SCIPIO

*N.J. Gazette*, Oct. 25, 1780.

1. The Continental Congress had emitted about \$100 million by the end of 1778. For a recent discussion of the currency crisis see WL to the Assembly, Sept. 15, 1780, n. 7.

2. Inflation was rampant as the British continued to circulate vast quantities of counterfeit continental currency. The resultant fiscal chaos was given further impetus by Americans. In September 1780, for instance, a New Jersey legislative committee appointed to examine and burn old money reported that counterfeit bills cancelled by Hunterdon County justices were not destroyed but kept in circulation (*Legislative Council* [May 10–Oct. 7, 1780], 112–13).

3. For resolutions requesting states to furnish supplies for the Continental Army, see WL to the Assembly, Sept. 14, 1780. This was part of the congressional plan to transfer supply responsibility from Congress to the states.

4. For legislative action and use of certificates in New Jersey see WL to William C. Houston, May 24, 1780, 3:392–94. During the winter of 1779–1780, Washington had been forced to impress needed supplies, paying for them with certificates. Supplies remained short during the summer of 1780. See George Washington to WL, Aug. 26, 1780, for an appeal to New Jersey for immediate aid. In response to a September 15 congressional resolution, the New Jersey Legislature on September 21 approved a report from the committee of conference that directed contractors of Hunterdon, Burlington, Gloucester, Salem, Cumberland, and Sussex to send immediately all cattle on hand to the army for slaughter (*General Assembly* [Sept. 13–Oct. 7, 1780], 264, 265, 267; *Legislative Council* [May 10–Oct. 7, 1780], 110–11).

5. At the time WL wrote this pseudonymous article, identified as his by Theodore Sedgwick, the two houses of the legislature were at odds on currency legislation. In early October 1780, the assembly wanted to continue to suspend the “Act declaring the Value of the Continental Currency and making Continental currency legal tender”: whereas, the Council sought not only to repeal the act because of depreciation, but also to enable creditors to recover overdue debts made in that currency. The dispute had not ended when the assembly adjourned on Nov. 3, 1780 (*General Assembly* [Sept. 13–Oct. 7, 1780], 283, 285, 286, 290–91, 292, 295–96; *General Assembly* [Oct. 28–Nov. 3, 1780]; *Legislative*

*Council* [May 10–Oct. 7, 1780], 120, 121; Sedgwick, *Livingston*, 248). For other examples of WL's pseudonymous writing, see "Jack Ketch," Feb. 24, 1779, 3:39–40, and "Hortentius" [June 1779], 3:102–3.

### Bond of John Stevens, Jr., and John Stevens, Sr.

October 30, 1780

Know all Men by these Presents that one John Stevens Junior & John Stevens Senior of the County of Hunterdon in the State of New Jersey, are held and firmly bound unto his Excellency William Livingston Esquire and his successor for the use of the State in sum of twenty Thousand Pounds Lawfull money of New Jersey to be paid to his said Excellency William Livingston Esquire or his Successor, which payment well and truly to be made, we bind ourselves, our heirs, Executors, and Administrators Jointly and severally formally by these Presents, Sealed with our seals and dated this thirtieth day of October in the year of our Lord one Thousand seven hundred and Eighty.

The Condition of this Obligation, is such, that if the above bounder, John Stevens Junior does well and truly and faithfully execute the Office of Treasurer of the State of New Jersey and shall from time to time and at all times hereafter render a Just and true, Account to the Council and Assembly when thereunto by them required of all Public Money that now are or shall hereafter be committed to his charge; and shall deliver up all the Public monies in his hands together with all instruments in writing belonging to and for the use of the State to his Successor in Office, then the above Obligation to be void, otherwise to be and remain in full force and Virtue.<sup>1</sup>

Sealed and Delivered in the Presence of

BENJAMIN VAN CLEVE

WILLIAM TRENT

JOHN STEVENS JUNIOR

JNO STEVENS, SENIOR

DS, Nj.

1. Treasurers were bonded in New Jersey following the 1768 theft of £6,500 public money in the possession of eastern New Jersey treasurer Stephen Skinner (vol. 1:8–9, 12 n.). For WL's professional assessment of the Skinner incident see *Legal Opinion*, June 1, 1773, 1:365–66.

## To Josiah Hornblower

Trenton 1 Nov. 1780

Sir

The first year that I had the honor of being chosen Governor of this State, when the necessaries of Life were cheaper than at present & the money had suffered no depreciation,<sup>1</sup> some of the Members of that Assembly consulted me about the Salary & informed me that the House intended to fix it at six hundred Pounds supposing that the Perquisites of the Office were worth four hundred & asked me whether I tho't it sufficient. I answered them that I was persuaded they overrated the Perquisites but that I was nevertheless perfectly satisfied with their offer. They accordingly fixed the Salary at six hundred Pounds.<sup>2</sup> But the Commissioners Fees on Commissions which constituted a great part of those perquisites were soon after taken away by the Legislature without making any additions to the Salary in lieu of the Ademption. This the Governor could not reconcile to the principles of Justice but forbore all complaint.

The last year's Salary was £8,000, which by the Depreciation of the Currency became reduced to less than £1,50 & the Assembly after solemn promises when they raised their own wages to make proper allowances to all the Officers of Government for the depreciation of the Currency finally added to it three hundred Lawful Money which being issued one Dollar for forty continental ones when one Silver dollar will purchase near eighty of them is little better than one hundred & fifty pounds. So that the Governor's last years Salary amounts to about three hundred pounds & I am persuaded with all the perquisites added to it to not above four hundred.

LBC, MHi. In the hand of Theodore Sedgwick.

1. For WL's analysis of currency depreciation see "Scipio," Oct. 25, 1780.

2. On Nov. 27, 1777, the assembly raised WL's salary to £1,000. He received the same salary on Nov. 28, 1778, and an additional £1,000 on June 8, 1779. The assembly, in light of rampant inflation, raised WL's salary to £8,000 on Dec. 23, 1779, and set his salary at £1,000 in devaluated currency on Jan. 9, 1781 (*Acts* [Sept. 13, 1776–Mar. 17, 1777], 22–24; [Nov. 25–Dec. 12, 1777], 8–11; [Nov. 20–Dec. 12, 1778], 5–7; [May 22–June 12, 1779], 65–67; [Nov. 16–Dec. 25, 1779], 31–33; [Sept. 29–Oct. 7, 1780], 136–38; [Nov. 15, 1780–Jan. 9, 1781], 58–61).

## “Scipio”

[November 1, 1780]

To the LEGISLATURE of the State of  
NEW-JERSEY.

GENTLEMEN,

I COME now to perform my promise, and do what but for the bounds prescribed me, I should have done in my last.

Congress, at a time when they supposed the par of exchange (or in other words the quantum of depreciation) throughout the United States, taken collectively, was at about forty for one, with design to give stability to their currency, and in some measure to supply their treasury, determined on a new emission at specie value; to secure which from depreciation, they set a triple guard upon it, resolving, 1st, That none of it should be emitted in any state, until that state had established a fund for the redemption of the quota assigned to it. 2d, That it should bear an annual interest of five per cent. to be paid in specie, or bills of exchange on our Commissioners in Europe. 3d, To prevent any depreciation arising from the quantity, it was determined that no more than a certain specified sum should be emitted, and not even that, but upon a proportional quantity of the old being first brought in and destroyed.<sup>1</sup>

Thus circumstanced, nothing but the unaccountable caprice incident to human nature in certain situations (and I believe not that) can depreciate it.

I know much has been said against this measure as being a breach of public faith, and have often heard persons rail against Congress for having broken faith with the people. I confess my idea has always been that Congress were the representatives of the people, and therefore that the *Congress* and the *People* were the same, and that the acts of the *one* were the acts of the *other*, consequently that to say the Congress had broke faith with the people, was, in other words, to say that the people had broke faith with themselves, were deceiving and imposing upon themselves, which is absurd.<sup>2</sup>

The idea that Congress and People are two distinct bodies, pursuing separate interests, is, I know, a favourite one with our enemies, and by

them inculcated on us by every art in their power. Admitting this plea, let us look back to our first associations, on the faith of which Congress have acted; we there in the most solemn manner pledged our lives and fortunes, and every thing we held dear and sacred, to support them in such measures as should appear to them necessary for maintaining and securing the rights and privileges of America. One of the measures then absolutely necessary was striking bills of credit,<sup>3</sup> on this our faith so solemnly pledged. Have we then, agreeably to these our obligations, thus freely entered into, supported these bills? or have we through interested (not to say worse) motives, spight of every effort of Congress, spight of our own plighted faith, not only suffered them to depreciate, but actually assisted in the depreciation, and thereby deceived Congress in their just expectations, and disappointed them in their best endeavours. If this then is the case, and deny it who can, for justice sake let the blame lie at the right door, and Congress be forever acquitted.

But to return from this digression to the consequences which the resolutions for a new emission had on this state, permit me to observe, that from a paucity incident to popular governments, it was long ere our legislature came into the measure to effect; during which time the continental treasury became more and more exhausted, while we were still performing services which they were unable to pay us for, and furnishing supplies for which we ourselves undertook to pay, thereby emptying our own coffers with little prospect of again filling them, except with certificates,<sup>4</sup> and rendering us unable to procure a sufficient quantity of the old emissions to exchange for the new. But what had a particular effect on the new emission was, that during this interval the old had considerably depreciated, and our legislature, with a mistaken view of adhering strictly to the resolution of Congress, fixed the exchange between the new money and continental at one for forty, and yet in the same law declare the new equal in value with gold and silver; here then is a direct contradiction, the exchange between gold and silver and continental being upwards of sixty for one when the new money first made its appearance; the new emission therefore was at first as it were suspended in equilibrio between the two; but as the taxes were levied in continental, and the new to be received but as one for forty in them, it was easy to foresee which scale must preponderate. Accordingly the new is by common consent, as well as by law, fixed at forty times the value of continental; whereas it is evident that on the same principles, had it not been for the unlucky forty-for-one clause, that is, had it been

in nowise connected with continental but received in taxes at the specie exchange, it would with the same ease have been fixed at specie value. What I would therefore propose is, that the law should be amended, and that specie should be the standard-value of the new emission,<sup>5</sup> and that it should be received in continental taxes at the specie exchange be that what it may, for it appears to me the greatest absurdity to suppose that in private dealings it should pass at one value, in public at another. This I conceive would likewise effectually take off the odium of "breach of public faith" from the measure.

I come now to consider the case of the certificates; and here I have already observed, that the state is considerably indebted to the continent, if then we could take on us the debts due from the continent to the individuals, and get credited for the amount with Congress, we should thereby not only pay off our present debt to them, but stand considerably in advance, for which we should be entitled to interest.<sup>6</sup> This, considering the present situation of our treasury, may be thought a romantic scheme, but perhaps on further consideration it may not be found so wild as at first it would appear, nay, so far from being *difficult*, it may, instead of laying any further burdens on the people, be made a considerable easement to the present; the plan is simple, the path is plain. What is the complaint of the people against the certificates? That they cannot with them pay their debts, their taxes, etc. Now to whom are these debts, these taxes to be paid? We are told, and most us know very well, that there are immense debts due to the state from the commissioners and purchasers of forfeited estates, and from several counties on account of arrears of taxes, etc. the whole of these therefore might be received in certificates, valued according to their dates and the time when the debts and taxes became due, and to discharge the remaining certificates, let a sufficient sum be struck in bills of credit by this state on the same foundation as those emitted during the last war, and to be redeemed, in shorter periods, in the same manner.

Two objections will, I foresee, be made to this scheme.

1. That the credit of the state is not sufficient to venture so large a draught upon it.

I answer, that during the last war no doubt was made of our ability to redeem any sum which we might find necessary to emit; and I am bold to say, that New-Jersey, even in its present exhausted state, is able to support double the amount of the then emissions, and if we may look

forward to the end of the war, and anticipate the advantages which we shall probably then enjoy, I think no man will ever doubt the credit of the state.

2. The second objection is, that we shall be overrun with the quantity of money, and that it will depreciate merely from that circumstance.

To which I answer, the quantity will be trifling to what we should at first blush suppose, when those countless thousands are reduced to their real value, (which every holder of a certificate would gladly receive) the vision disappears, and we shall find no such shocking addition to our current cash, especially when we consider the present scarcity and the constant calls, we shall be under the necessity of making to enable us to furnish our supplies for the army.

To illustrate these observations I shall venture at a calculation, and suppose that after the debts due to the state are fully paid, the remaining certificates will amount to twenty millions of dollars, and that the rate of exchange at which they ought to be paid, taking them collectively, is as one for fifty, then say this sum shall be redeemed within ten years, the amount is fifteen thousand pounds annually; a sum barely equal to the late sinking fund, and less by thirty-five thousand pounds than was in circulation on the same footing at the end of the last war, with the advantage of being redeemed in three years less time; and will any persons suppose the credit of this state insufficient for that sum, or that the quantity can cause a depreciation.

Thus have I attempted to shew the cause of our distresses, and to point out a remedy. If I am wrong in the first instance, I am probably so in the last. However it is conceded on all hands, that in our present situation something decisive must be done. If a better plan should be proposed, by all means embrace it; if not, and it shall appear to you that the present will fix a standard to our long fluctuating cash; will give it stability and currency; will discharge our debt to the continent, and put us on a respectable footing there; will ease the people from the burthen of their certificates; will enable them to pay not only their arrears of taxes and debts due to the state, but also their debts to and contracts with each other, and thereby enable all to pay their current taxes without distress; if it will not only do this, but enable us in future to purchase our supplies for the army with cash, then you will not hesitate a moment to adopt it. "To linger is to die;" indecision will be our ruin. While the legislature are wavering and uncertain,<sup>7</sup> the people will be

doubtful and suspicious. We are at that crisis when, unless some effectual remedy is applied, we perish. We are at that crisis when a proper remedy skillfully applied, will perform wonders, and soon raise the body politic to fresh life and vigour.

SCIPIO

*N.J. Gazette*, Nov. 1, 1780.

1. See WL to the Assembly, Sept. 14, 1780, for further information on the recent congressional resolution on currency.

2. This “Scipio” letter, the second in a series on the currency crisis, was identified as having been written by WL by Theodore Sedgwick (*Life of WL*, 248). See “Scipio” Oct. 25, 1780, n. 3, for Congress’s design to combat the financial crisis.

3. For WL’s earliest correspondence on the use of bills of credit issued by Congress and the lack of faith in continental currency, see WL to the Assembly, Nov. 7, 1777, 2:105–107.

4. See WL to the Assembly, Sept. 14, 1780, for background on the status of “The Act to empower the Collectors to receive certain Certificates in Payment of Taxes.”

5. By October 1780 the ratio of continental currency to specie was seventy-five to one, although Congress did not acknowledge this rate until Dec. 19, 1780 (*JCC*, 18:1174).

6. Refer to William C. Houston to WL, Oct. 2, 1780 (NN), for Houston’s recommendations in collecting old bills of credit and for the discharge of New Jersey’s national debt. The legislature had received numerous petitions complaining of inability to pay taxes with continental certificates received for supplies (*General Assembly* [Sept. 15–Oct. 7, 1780], 259, 267, 274, 281, 288; *Legislative Council* [Oct. 24, 1780–Jan. 9, 1781], 7).

7. See “Scipio,” Oct. 25, 1780, for details on the disagreement between the assembly and the council. By Nov. 1, 1780, the legislature had not passed any bills or supplemental acts on currency or certificates and still had under consideration certain items from WL’s message of Sept. 14 (*General Assembly* [Sept. 13–Oct. 7, 1780], 283, 285, 286, 289, 290–91, 295–96; [Oct. 28–Nov. 3, 1780], 11; *Legislative Council* [May 10–Oct. 7, 1780], 121).

## From Samuel Huntington

In Congress November 9th 1780

Sir,

Fully convinced of our inability to obtain the grand object of the federal union without the vigorous exertions of the several States we have thought it our duty to make the requisitions contained in the enclosed resolutions;<sup>1</sup> and we wish our constituents to be impressed with the necessity of a speedy and punctual compliance. For although by the blessing of providence we have been conducted thus far in a war with a powerful and enraged enemy, yet the events of the present year have not

enabled us to speak the language of triumph. This indeed may be attributed to a variety of causes, but we cannot refrain from observing that the unpunctuality of the States in their supplies of men money and provisions is not one of the least.<sup>2</sup>

It is unnecessary to point out the public wants and distresses. They are too well known, too generally felt. Hitherto the war has been carried on principally by emissions of paper money. This being depreciated & Congress having in compliance with the general inclination & voice of their constituents resolved to stop farther emissions we are compelled to call upon the States for taxes and specific supplies.<sup>3</sup>

An opinion seems to prevail that foreign loans can be obtained and we perceive with regret that some are disposed to place too great reliance on this recourse. Duty compels us to be explicit with our constituents on a subject of such interesting importance. Every effort has been made for the privilege of procuring loans, but without sufficient success to justify a relaxation of our own most vigorous exertions.<sup>4</sup>

It is to be observed that a powerful armed neutrality appears to be formed in Europe determined to support the freedom of commerce.<sup>5</sup> Should overtures of peace be the result of a convention of the neutral powers, is it not our interest, is it not our indispensable duty to be prepared for such an event? Our object is of the greatest magnitude; the security, freedom and independence of the United States. And experience evinces that no nation can promise itself a safe & honorable peace which is not in condition to maintain a war with vigor. We are confident there is no want of ability in the States to do this. Can Arguments then be necessary to call forth every internal resource which may contribute to put a happy period to the war? Is it not high time to expel from our country an enemy whose progress is marked with blood and desolation and whose successes inspire them only with redoubled vengeance?

The estimates may appear large but we conceive them to be absolutely necessary. To the utmost of our power we have endeavoured to correct abuses in the public expenditures. We have called for the aid of the respective executives. Again we recommend this essential object to their attention. Nothing on our part shall be wanting which may contribute to promote the strictest economy in dispensing the supplies now required.

We have only to add our earnest desire that no time may be lost and should the legislature of your State not be in session on the receipt of

this letter that it may be immediately convened. By order and on behalf of the United States in Congress assembled

SAM. HUNTINGTON

ALS, NjR.

1. Enclosures not found. The only congressional resolution WL presented to the legislature was that of Nov. 4, 1780. Congress directed the states to levy a tax of \$6 million to be paid partially in goods and the residue in gold, silver, or bills of credit emitted pursuant to the Mar. 18, 1780, resolution. New Jersey was to supply beef, pork, flour, salt, and \$107,152 from January 1 to mid-July, 1781 (*JCC*, 18:1011–12, 1015, 1017–18). See WL to the Assembly, Sept. 14, 1780, for an outline of the crisis situation faced by both the army and American finances.

2. See “Scipio,” Oct. 25 and Nov. 1, 1780, for WL’s interpretation of the causes for noncompliance with congressional resolutions and his remedies for the financial and army supply crises.

In the resolution of Nov. 4, 1780, Congress sought another solution. WL sent Huntington’s letter and the resolution to the assembly on Nov. 14, 1780. The assembly referred the matter to a committee. The bill entitled “An Act for raising the specific Supplies required of this State by the congress of the United States, by regular and equitable Assessments of the same upon several Inhabitants of the State” was initially read in the assembly on Dec. 6, 1780, then tabled after a second reading on Jan. 4, 1781. On June 6, 1781, in its second sitting, the House ordered that the two bills be incorporated into one. The new bill, “An Act for raising the Value of fifty-thousand pounds in Money and other Supplies in the State of New Jersey, and for other Purposes therein mentioned” passed June 15, 1781 (*General Assembly* [Nov. 11–17, 1780], 27, 30; [Dec. 2–8, 1780], 50; [Dec. 16, 1780–Jan. 9, 1781], 100; [May 15–June 28, 1781], 9–10, 35; *Acts* [May 24–June 28, 1781], 48).

3. See WL to the Legislature Nov. 1, 1780, for a discussion of currency depreciation.

4. Foreign loans and subsidies from France, Spain, and Holland provided money to procure clothing, artillery, medicine, and other critical supplies for the American Revolution. For background on a loan from Spain see Henry Brockholst Livingston to WL, Oct. 12, 1780. For background discussions regarding a Dutch loan see WL to Baron van der Capellen, Mar. 15, 1780, 3:331–33.

5. For previous correspondence concerning the Treaty of Armed Neutrality see Baron van der Capellen to WL, July [6] 16, 1779, and Henry Brockholst Livingston to WL, May 5, 1780, 3:131, 373–75.

From Joseph Reed

Philadelphia Nov. 13. 1780

Sir

The Bearer<sup>1</sup> is a Person who has fallen under our Suspicions as well as your Excellencies – but nothing appearing to support them has been enlarged.<sup>2</sup> Since that Time he has given such Demonstrations of his De-

sire to render this Country Service by detecting the Correspondences of this Place with the Enemy as have in some Degree engaged our Confidence.<sup>3</sup> He is obliged to go to Trenton to answer a Suit in the Court there, & from a Connection he has formed in the Neighbourhood of Princeton expects to make some farther Progress in the Business there. I could wish therefore that as I have now opened the Business to your Excellency you will so far connive at Proceedings as to give him a Chance of proving the Sincerity of his Professions. At all Events he has nothing in his Power to injure us & it is by such Means only that we shall I fear ever be able to unfold these Mysteries of Iniquity.

With much Respect & Regard & sincere Congratulations on your Re-appointment to a Station you have filled with so much Benefit to the Country & Honor to yourself. I remain Sir, Your most Obedient & very Humble Servant

JOS: REED

ALS, NN.

1. B. Edgar Joel.
2. See two letters from B. Edgar Joel to WL, September 1780, and WL to Board of War, Sept. 29, 1780. On Oct. 11, 1780, Joel wrote to Samuel Huntington, president of the Board of War, asking for a response to his memorial of July 14, 1780, money, and a commission in the Continental army. Refer to B. Edgar Joel to Samuel Huntington, Oct. 11, 1780 (DNA:PCC, 13:183). On Oct. 31, 1780, the board decreed that although Joel "did not have the means of subsistence and is reduced to absolute want, it would be improper to grant his request." It also noted that Joel had asked for a pass to New York City to obtain a pardon from the British, an action which Congress described as "extraordinary." Refer to DNA:PCC, 6:403.
3. On Nov. 28, 1780, the Board of War issued a report in which it indicated that Captain Joel had "performed a second piece of service . . . which being of a secret nature, it will not be proper to divulge." The board ordered that Joel be paid \$8,000 for his services. Refer to Report of Board of War re. Captain Joel, Nov. 28, 1780 (DNA:PCC, 6:603). In addition, refer to "Order to pay B. Edgar Joel" signed by Joseph Reed (Hist. Soc. of Pa.).

To George Washington

Trenton 15th November 1780

Dear Sir

By a Resolution of both Branches of our Legislature,<sup>1</sup> I am requested to write to your Excellency to assure you that the Legislature of this State are most sincerely disposed to exert their utmost Efforts for draw-

ing forth all the Supplies this State can furnish for the Army under your Command, but at the same time to inform your Excellency that from the Drought of last Summer, & the large Supplies already furnished, Hay & other forage are so scarce, that it will be necessary to send out of this State, as early this Season as convenient, every horse that can possibly be spared from the Army; & that it will be equally necessary to call upon the Neighbouring States to fill the Magazines upon the Borders of this State, that the Forage near them may be sent on towards the Army.

I am further requested by the said Resolution to consult your Excellency on the Subject of guarding the Frontiers of this State during the ensuing Winter & to learn whether any part of the Forces under your Excellency's Command can, consistently with the Plan of Operations laid down by you, be employed in that Service, & what part of the Frontiers of this State may depend on the Protection to be derived therefrom.<sup>2</sup> With the greatest respect, I have the Honour to be Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. On Oct. 27, 1780, the legislature formed a joint committee to report on the issues of forage and supplies mentioned in a letter of the same date from Q. M. Gen. Timothy Pickering to the New Jersey Legislature. On Nov. 1, 1780, the committee recommended that requisitions be immediately sent to county contractors; that a committee inquire into the state of readiness of forage, supplies, and magazines; and that a committee request of Washington both frontier guards and the removal of horses. The legislature passed a slightly amended bill on Nov. 14, 1780 (*General Assembly* [Oct. 24–27, 1780], 7–8; [Oct. 28–Nov. 3, 1780], 13–14; [Nov. 4–10, 1780], 17; [Nov. 11–17, 1780], 28; *Legislative Council* [Oct. 24, 1780–Jan. 9, 1781], 12, 14). For background on the removal of army horses during the winter refer to Fitzpatrick, *Writings of Washington*, 20:377–78.

2. Washington's headquarters was in Passaic Falls in November 1780.

To Joseph Reed

Trenton 15th November 1780

Sir

I have the Honour of your Excellency's letter of the 13th<sup>1</sup> and would at all times wish to pay the greatest Attention to any persons whom your Excellency should think proper to employ for the Purpose you

mention. But Capt. Joel when at this place some time since, thought fit to treat the Authority of this State with such insufferable Insolence; formed so many Connections with the disaffected; is a person of such dissolute morals & so destitute of every Virtue necessary to induce Confidence in his Professions, but rather administering reasons to suspect him of perfidious designs against us, that the Council then unanimously advised me to send him out of the State.<sup>2</sup> Since that period, our farther accounts respecting him are all to the disadvantage of his Character; & if he has formed any Projects against us, his continuing in New Jersey, & especially under the Patronage of Authority, will so greatly facilitate his carrying them into Execution, that the Council now again unanimously advise me to have him removed.

I beg your Excellency will ascribe this measure to our apprehensions for the Public; & to be assured that could we entertain the same favourable Sentiments of the young Gentleman which your Excellency does, it would give us particular pleasure to coincide with your Views, and to treat him with that Attention which we shall always be ready to pay to your Recommendations. With great Esteem I have the Honour to be Your Excellency's Most Humble Servant

WIL: LIVINGSTON

ALS, NHi.

1. See Joseph Reed to WL, Nov. 13, 1780.

2. The council so advised WL on Sept. 29, 1780. Refer to *NJA* (Privy Council), 172.

### From George Washington

Head Quarters Passaic Falls 19th: November 1780

Dear Sir

I have been this day honored with your Excellency's favor of the 15th.<sup>1</sup> You may be assured that I shall pursue the same measures this Winter, that I have invariably done heretofore—of sending every Horse that can possibly be spared, to a distance from the part of the Country which has been the seat of the Army during the Campaign, and as there will be fewer troops in Jersey this Winter than usual, I hope the inhabitants will find relief in proportion. The exertions of the State have been great, and it is intitled to every indulgence that the nature of the service will allow.

Your Excellency and the Legislature must be sufficiently acquainted with the State of the Army to know, that our force, after the dismission of the Levies, will admit but few troops to remain in Jersey. I shall throw all that can be spared, after securing West point from any possible insult, on the communication from Morris Town to Kings Ferry; but as their number will be but few, they cannot be cantoned nearer to the sound than Morris town.<sup>2</sup> They will occasionally keep patrols and light parties advanced to give notice of any approach of the Enemy. I am convinced that a force within striking distance of an enemy, any thing short of a body sufficient to keep them in perfect awe, instead of affording protection to the inhabitants, only serve as an inducement to bring the enemy out upon them.<sup>3</sup> I have the honor to be with very great Respect and Regard Your Excellency's most obedient and humble Servant

GO: WASHINGTON

LS, NN.

1. See WL to George Washington, Nov. 15, 1780.

2. For Washington on troop movements refer to George Washington to Brig. Gen. Anthony Wayne, Nov. 14, 1780 (Fitzpatrick, *Writings of Washington*, 20:344).

3. Although discussed on Nov. 7 and 10, 1780, the assembly did not pass "An Act For Completing And Keeping Up the Quota of Troops Belonging to this State, in the Service of the United States" until Dec. 26, 1780 (*General Assembly* [Nov. 18–24, 1780], 39, 40; [Dec. 16, 1780–Jan. 9, 1781], 19–29; *Legislative Council* [Oct. 24, 1780–Jan. 9, 1781], 21, 29, 31, 52, 53; *Acts* [Nov. 15, 1780–Jan. 9, 1781], 23–29). See also WL to George Washington, Oct. 23, 1780, n. 2.

### Representation of the New Jersey Legislature to the Continental Congress

[November 20th. 1780]

To the United States in Congress assembled  
The Memorial and Representation of the Legislature of the State of  
New Jersey, Sheweth;

That the Legislature of this State ready at all times to accede to any Measures; that may be thought to be of general Utility, did pass a law in compliance with the Resolutions of Congress of the eighteenth of March last,<sup>1</sup> by which the Treasurer of this State was directed to exchange one Dollar of the money ordered to be issued on the Credit of

this State for forty Dollars of the Continental currency, and to receive the said new Money, in the payment of Taxes in like proportion. Had the relative value of the Continental Currency to Gold and Silver remained the same, which we suppose to have been the expectation of Congress, there would have been no necessity for an alteration of the law of this State; but the Continental Currency being now depreciated as low as eighty or ninety for one;<sup>2</sup> the Legislature sensible of the great loss the publick must sustain by having the new Money sent out under such evident Disadvantages, have thought proper to repeal that part of the Law, which fixes a proportionate Value between the New Money Aforesaid and the Continental Currency, in order thereby to establish the value of the said New Money equal to that of Specie;<sup>3</sup> the propriety of this measure, we doubt not, has already occurred to Congress; but as there is a necessity that there should be an Uniformity in the value of the Money issued by the several States, we would beg leave to suggest to Congress the propriety of recommending this measure to the Consideration of the other States in the Union.

The Legislature would further represent that the Inhabitants of this State have from time to time, with the greatest readiness, furnished the Army of the United States, with such Articles of supply, as have been in their Power; in payment for which, they have received little else than Certificates; and as chief part of the Inhabitants of this State are Farmers, and depend upon the sale of their produce for Money, and the mode of giving Certificates effectually putting it out of the Power of a great part of the People to pay their Taxes, unless in Certificates; this being the case, but little Continental Money will be brought into the Treasury, and this State in Consequence has but little prospect, in the mode prescribed by Congress, of drawing out its proportion of the New Money, or the People of receiving what is, and may become, justly due to them from the publick, we wish Congress to take this Matter into Consideration, and to devise some means, either by paying the People their just dues from the Continental Treasury; or by enabling this State to receive its proportion of the New Money in exchange for the Certificates which may be brought into the Treasury by Taxes, by which we might be enabled to satisfy the just demands of the People on account of present Debts, and procure supplies more readily on future Requisitions.

The Legislature would further represent, that, notwithstanding the

extraordinary exertions of the Inhabitants of this State in furnishing supplies; Notwithstanding they have reduced their own stores to a very scanty allowance for themselves, and their domestic Dependents; yet such is the situation of New Jersey, that on every want of the Army, from what cause soever it may arise, she is first called upon to furnish a supply,<sup>4</sup> and her Inhabitants are often obliged to see their Provisions and forage impressed and taken from them by force whilst their Families and Cattle are reduced to absolute want; perhaps such a measure may be justifiable in the Commander in Chief, as the comfort and health of his Soldiery, are and ought to be, principal Objects of his care; but it is owing to a defect somewhere. We would then in Justice to our Constituents earnestly request, that Congress would take the Premises under their consideration and by requiring other States to forward their full proportion of supplies, relieve this State from a burden which will otherwise in a little time become insupportable.<sup>5</sup>

Council Chamber November 18th. 1780

Signed in and by order of Council

WIL: LIVINGSTON

House of Assembly, November 20th. 1780

Signed in and by order of the House.

JOSIAH HORNBLOWER

DS, DNA:PCC, 41.

1. For discussion and update on the March 18 congressional resolution and New Jersey's legislative actions see "Scipio," Oct. 25 and Nov. 1, 1780.

2. In November 1780 the rate between continental currency and the new emission was set at seventy-five to one by a group of Philadelphia traders and merchants.

3. Within a few days after its September 19 formation by the New Jersey Legislature, the Committee of Conference began to make its reports. The first report of Sept. 21, 1780, dealt with a September 15 congressional resolution on providing beef. On September 23 the Committee of Conference recommended that county collectors and militia officers forward into the state treasury all public monies in their hands. The legislature concurred and also established a committee to amend the "Act to empower the Collectors to receive certain certificates in Payment of Taxes." On Sept. 29, 1780, the Committee of Conference reported that the legislature should represent to Congress New Jersey's financial plight with recommendations for relief. The legislature also agreed with this report. Finally on Oct. 3, 1780, the legislature committed the outstanding currency and collector certificate acts to one committee (*General Assembly* [Sept. 19–Oct. 7, 1780], 265, 266, 268, 269, 270, 276, 278, 281, 282, 283; *Legislative Council* [May 10–Oct. 7, 1780], 110, 112–13, 114, 118). On Nov. 17, 1780, the legislature passed "An Act to amend an Act, intitled, 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.” This act essentially repealed the forty-to-one exchange rate of bills of credit in payment of taxes. The act also provided for the governor and Privy Council to declare periodically the rate of exchange between continental currency and specie (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 4–5).

4. See WL to George Washington, Nov. 15, 1780, for further information on New Jersey’s efforts to meet its supply quota under severe hardships. On Nov. 9, 1780, a remonstrance from Azariah Dunham was read in the legislature. Dunham attested that during December 1779 his assistants in the commissary general’s office gave certificates to residents for requisitioning needed supplies for the army. They were now being threatened and sued by the people whose “patience [is] exhausted” (*General Assembly* [Oct. 24, 1780–Jan. 9, 1781], 23; *Legislative Council* [Oct. 24, 1780–Jan. 9, 1781], 13).

5. On Nov. 24, 1780, New Jersey’s representation was read in Congress and referred to a committee composed of James Duane (N.Y.), James Madison (Va.), and William C. Houston (N.J.). On Dec. 23, 1780, the committee brought in a report that Congress should resolve that New Jersey’s actions were “fundamentally repugnant” to Congress’s efforts in carrying on the war and refused to recommend such actions to other states. The committee report was written in the hand of James Duane with a passage in the hand of Madison. Another draft, written by Houston and dated Dec. 4, 1780, differed considerably and was less critical of New Jersey. It can be found in a footnote to the congressional journals (*JCC*, 18:1191–92). Congress took no action on any version of the report.

# Men and Money

November 20, 1780–April 1, 1781

*By the end of 1780 Congress's optimism over its Mar. 18, 1780, plan to bolster the economy had ended. Although the plan had required the old currency to be replaced with new emissions, only a small portion of the old was sunk. Part of the problem was that the arbitrary forty-to-one rate of exchange set in the resolution was unrealistic. In a series of letters published in the New Jersey Gazette, Gov. William Livingston, using the pseudonym "Scipio," called for an end to the "unlucky forty-for-one clause" and the amending of the law, "for it appears to me the greatest absurdity to suppose that in private dealings it should pass at one value, in public at another."<sup>1</sup> In response to this and other outcries, the legislature empowered the Privy Council and the governor to fix the rate of exchange at current market value. In April 1781 the rate was announced at 150 to 1, and by June at 175 to 1.*

*The currency problem in all the states*

*was aggravated further by the operations of counterfeiting rings run by both the British and Americans. In addition, all states suffered from an influx of quartermaster and commissary certificates used by the army to pay for supplies in lieu of cash. The proportion of these certificates to the population was greater in New Jersey than in any other state because the army was so often quartered there.*

*Certificates could be redeemed only for worthless money, leaving the people of New Jersey unable to pay their state taxes. Although New Jerseyans had in the past supplied emergency quotas for the army at the governor's urgent request, as the financial crisis worsened many began to hide food and other provisions when the army was in their vicinity. In addition, members of the quartermaster's department were being sued by New Jersey citizens for nonpayment of certificates.*

*In November 1780 the New Jersey Legislature, deluged by petitions from*

residents for relief, sent two representatives to Congress armed with statements outlining its complaints. These called for the repeal of the fixed exchange rate and the settlement of accounts with the government. Congress's inaction on these documents prompted New Jersey gradually to end compliance with congressional currency resolutions. Finally, in June 1781, the legislature terminated continental currency as legal tender in the state.

Despite the unity the New Jersey Legislature presented in sending representations to Congress, it was divided over a new tax bill. This bill would determine the method of redeeming depreciated currency so as to benefit either the debtor or creditor interests of the state. The issue would introduce a decade-long confrontation into the complex politics of the state. Debtors had experienced the most immediate demands of the army for supplies and therefore received the lion's share of certificates for which they now demanded redemption at present market value. Petitions were also made by state officers for monetary reform; these included Livingston and Lord Stirling, who saw the effect of depreciation on their salaries. Immediate short-term legislation was required, but at the end of 1782 the legislature was still debating the matter.

The monetary crisis led to military as well as civil distress. Troops were unpaid, ill clothed, poorly equipped, and underfed. Discontent was rampant and seriously affected the morale and efficiency of the army. The army's performance was also hampered by three-year enlistments. After veterans were discharged, new soldiers had to be recruited and then equipped,

clothed, and trained. In November 1780, Washington attempted to deal with this problem by instituting a major military reorganization to ensure enlistments for the duration of the conflict.

While the winter of 1780–1781 was not as severe as that of 1779–1780, it was still a difficult one for Washington's Continental army. As in several past winters, a good part of the army was encamped in New Jersey, with the remainder stationed at or near West Point, which continued to be a popular British target. The Pennsylvania line was camped at Mount Kemble near Morristown. Most of the Pennsylvanians had enlisted in 1778 for three years or the duration of the war. They believed their term was complete on Jan. 1, 1781, but were told by their officers, who realized the difficulty of raising men, that they must remain until the end of the war. On January 1 the men rose in protest between 9:00 and 10:00 P.M. They seized several field pieces and marched toward Princeton.

On hearing of the uprising, Gen. Anthony Wayne, in command of the New Jersey line stationed at Pompton, marched part of his force south to form a barrier between the rebels and the British forces in Staten Island and New York City. The mutineers continued to march toward Trenton, prompting a frantic Livingston on January 7 to initiate a search for sufficient supplies of meat with which to feed them. After the meat was procured Livingston, fearing both the marauding Pennsylvanians and Wayne's loyal troops, took himself and his private papers from Trenton to Bordentown for safekeeping.<sup>2</sup>

Both Livingston and Wayne were concerned that the rebellious soldiers would

desert to the British or that the British would seize this opportunity to stage a major invasion of the state. The British did not attack, but on January 11 British commander in chief Sir Henry Clinton sent two spies to Princeton to persuade the rebels to desert. Despite an attractive offer of back pay and the promise of exemption from military service, as Livingston noted to his son-in-law John Jay, "the men spurned his [Clinton's] overtures protesting that they were not traitors like Arnold nor mutineers from disaffection to the cause, but to procure a redress of grievances." The Pennsylvanians turned the spies over to Wayne and they were promptly hanged.<sup>3</sup>

Wayne negotiated with the men, who demanded discharges for those who had earned them, arrears of pay and clothing, and amnesty for their leaders. Wayne agreed to their demands and Congress established a board to rule on disputed terms of enlistments. The board agreed that in cases where written records were lacking, a soldier's word would be taken as to his length of service. The result was that thirteen hundred men from the Pennsylvania line were discharged. The remaining 1,150 were furloughed until March 1781.

The rebellion was contained, but it left the Continentals short of manpower. Nevertheless, on January 18 Livingston was able to reflect that the danger had passed. Much to his chagrin, on January 21 some two hundred soldiers from the New Jersey line in Pompton also rose in rebellion. Washington, on being informed of the uprising, acted promptly. He first asked Livingston to muster the New Jersey

militia and then ordered Col. Israel Shreve to call the loyal New Jersey regiments to compel the soldiers to return to duty.

The New Jersey troops revolted for essentially the same reasons as had the Pennsylvanians. They too suffered from inadequate provisions and poor shelter and wanted back pay and earned discharges. Washington, fearing not only the reduction in the New Jersey line if concessions were again made but also the effect it would have on all remaining troops, asked Livingston not to make "any compromise . . . with the mutineers."<sup>4</sup>

The rebels were subdued on January 27, when a detachment of troops led by Lt. Col. Francis Barber surrounded their encampment at night. Barber ordered the mutineers to assemble without arms. After some hesitation, the men complied. Barber, acting on Washington's orders, identified three leaders of the revolt and had them court-martialed. They were convicted on the spot and sentenced to death. Barber then determined which of the rebel soldiers had been their strongest supporters. He picked twelve of their number and had them form a firing squad. After the first two men were shot, Barber reprieved the third.

While no concessions similar to those won by the Pennsylvanians were awarded to the New Jerseyans, the New Jersey Legislature did move to prevent future rebellions by passing legislation to compensate soldiers for inflation. Livingston applauded Washington's firmness in ending the revolt, but at the same time he was aware that the soldiers had just cause for complaint. He so reminded the commander in

chief on Feb. 4, 1781, when he suggested that in the future soldiers' complaints "be thoroughly investigated."<sup>5</sup>

Washington and Livingston could not alleviate the monetary distress that was the chief cause of the soldiers' complaints. Early in 1781 Congress began to consider ways to reorganize the governmental departments for greater efficiency and to present itself as a responsible entity in the eyes of future foreign backers. It was also necessary to raise money. After the old currency expired in 1781, Congress abandoned its Mar. 18, 1780, plan. It now recommended the repeal of tender laws and accepted quartermaster and commissary certificates as part of a state's requisition quota. It also recommended a 5 percent impost on duties. Implementation of

the latter measure was difficult because the Articles of Confederation prohibited Congress from direct taxation without the approval of the states, and the states objected to the impost. Congress now looked for a firm hand to control the fiscal chaos and appointed Livingston's friend Robert Morris as superintendent of the newly created Department of Finance.

1. "Scipio," *N.J. Gazette*, Nov. 1, 1780.
2. William Livingston to John Butler, Jan. 7, 1781; William Livingston to Phillip Schuyler, Jan. 18, 1781.
3. William Livingston to John Jay, Jan. 14, 1781.
4. George Washington to William Livingston, Jan. 23, 1781.
5. William Livingston to George Washington, Feb. 4, 1781.

### From Robert Hude

New Brunswick November 20, 1780

Most Honored and Worthy Sir

May it Pleas Your Excellency to Permit me to Lay Before you that I have Certain Accounts that may be Depended upon that there is Sir Great Quanty of Provisions Goes of to the Enemy from South Amboy Aboard of the Vessel that Lays there on Sunday Last one Boat Loaded went of from the Jersey Shore there they when on Shore there And Stayed Long Enought to kill the Cattle and Carry them of who they Belong to I Cannot tell Unless there Some Remedy Provided and that Very Soon they will be Supplied Constantly.<sup>1</sup> I hope As One who has the Cause of my Bleeding Country at Heart, that your Excellency and the Honourable Council will Endeavour to prevent the Enemy from Getting Such Supply from that Quarter here is Our Army Let them want Provisions Ever So Much the tory Party will not Let them have it.<sup>2</sup> From Sir your humble

ALS, NN.

1. For previous letters attesting to smuggling of provisions from South Amboy refer to John Lloyd to WL, Oct. 4, 1780 (NN), and John Neilson to WL, Oct. 17, 1780 (NN).

2. On Nov. 28, 1780, the Privy Council directed that all cattle, horses, sheep, or hogs be driven off from Amboy towards a more secure place (*NJA*, 3d ser., 6:186).

### From John Jay

Madrid 22 November 1780

Dear Sir

Your favor of the 17 March last did not reach me till September.<sup>1</sup> My Letters to you in August mentioned the situation of our Family, which

tho then encreased has since been reduced to its former number.<sup>2</sup> Mrs. Jay has more than usual Health, and her Spirits continue to produce that easy Chearfulness which constitutes so important an Ingredient in human Happiness.

I embraced with pleasure the opportunity you gave me of writing to Baron D'Capellan, and am also of your opinion that good consequences may flow from cultivating his Correspondence.<sup>3</sup> I have advised Brockholst to do the like, but I believe the Expediency of it does not strike him as forceably as it does me.

When Peace shall again afford you Leizure & opportunity to cultivate your Garden at Liberty Hall, seeds of the best fruits in this Country shall not be wanting to enrich it.<sup>4</sup> The Melons & Grapes are very good, but I have met with no other fruits superiour, if equal, to those you already have—among them melons. (I mean muskmelons) There is a species which keep thro' the winter till late in the Spring. I eat of them in April last. Tho not equal to the others, they are far from bad. Some of yours at Eliz. Town were as good as the best I have seen here. The Herbs and Roots to be found in Spanish kitchen gardens are very good—particularly Sallads, Cabbage, Colliflowers and onions. The latter far exceed our's in size, & are generally white. You shall in due Time have Samples of them all and also some slips of a species of grape, whose Clusters are in general so large, as that many are often found which weigh ten, fifteen, and twenty pounds. The king, I am told, speakes of one that had been presented to him, which weighted above five & forty. Perhaps that kind of grape was cultivated by the Canaanites<sup>5</sup>—for my own part, I have as yet seen none of these Clusters, which I thought exceeded seven or Eight pounds.

Sally is well satisfied with the Connection you allude to,<sup>6</sup> but the Value of it will in this and all other Cases depend so much on the Prudence of the Parties, that Time & Experience only can ascertain it. I am sure they have my best wishes, and I shall always be happy in opportunities of giving them less uncertain Proofs of it than Professions.

Be pleased to remember me affectionately to Mrs. Livingston and all the family. I am Dear Sir your obedient Servant

JOHN JAY

You will be pleased to hear that Brockholst speakes Spanish & french fluently, and that his application in acquiring useful knowledge promises much.<sup>7</sup>

AL, NNC.

1. Refer to WL to John Jay, Mar. 17, 1780 (NNC).
2. For the birth and death of Jay's daughter Susan see Henry Brockholst Livingston to WL, July 12, 1780, and refer to Sarah Livingston Jay to Susannah French Livingston, Aug. 28, 1780 (NNC).
3. WL had written in his Mar. 17, 1780, letter, "With the Baron Van der Capellen, 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" (NNC). No correspondence between Jay and van der Capellen has been found.
4. WL's major avocation was horticulture.
5. Jay is referring here to an Old Testament passage in which Moses sent spies into Canaan: "And they came unto the brook of Eshcal, and cut down from thence a branch with one cluster of grapes, and they bore it between two upon a staff" (Numbers 14:17).
6. WL was referring to the marriage of his youngest daughter Judith to John W. Watkins on Apr. 6, 1780. See WL to John Watkins, Mar. 13, 1780, 3: 329.
7. Henry Brockholst Livingston had begun the study of French and Spanish during the voyage to Europe with John Jay. Refer to Henry Brockholst Livingston to Susannah French Livingston, Oct. 25, 1779 (MHi).

### To Thomas Egbert

Trenton November 28. 1780

Sir,

As an invasion is expected upon this State at or near Woodbridge, You are hereby ordered to provide some suitable person at Princeton to put the Alarm Gun there in readiness. And to direct the person having the care of the same to fire said Gun three times upon the first authentick Intelligence that the Enemy are actually Landing in force on any part of this State.<sup>1</sup> Sir your very humble servant

WIL. LIVINGSTON

ALS, DNA:R693.

1. On November 28 WL gave the Privy Council a letter from an unidentified source informing him that the British intended to land in the Woodbridge area. This letter to Egbert complied with part of the council's recommendation, which had also authorized WL to call out four classes from five militia regiments, and two companies of light horse. Livestock and personal goods were ordered removed from the area, and arrangements made to set off the alarm when the enemy landed (*NJA* [Privy Council], 3d ser., 185–86).

## To Joseph Reed

Trenton 5 December 1780

Sir,

I have received your Excellency's Letter on the Subject of the commercial intercourse between several of the Inhabitants of Pennsylvania & New Jersey with the Enemy at New York, & the Papers & affidavits which accompanied it. Warrants were immediately issued against the offenders in this State, & we hope to break up the knot.<sup>1</sup>

Among the Delinquents committed in Philadelphia, I am informed there is one Joshua Bunting, a Citizen of this State, who is said by his Friends, who apply to me in his behalf, to be confined for an offence supposed to be committed in this State; & if so, I presume the Authority of Pennsylvania would have no objection to deliver him up to an officer of this State to be sent for that purpose.<sup>2</sup> If he is charged with an offence perpetrated in your Commonwealth, he is doubtless amenable to it: & will your Excellency excuse me for desiring the favour of your acquainting me with the real circumstances of his case? I have the Honour to be, with great Respect, Your Excellencies most obedient & very humble Servant,

WIL. LIVINGSTON

PHarH, *Pa. Archives*, 1st ser., 8:636–37.

1. Refer to Joseph Reed to WL, Nov. 27, 1780 (*Pa. Archives*, 1st ser., 8:624–25).

2. Joshua Bunting (or Buntling) of Chesterfield, N.J., operated a tavern where suspected British traders stayed. Using knowledge obtained from Capt. B. Edgar Joel (refer to Joseph Reed to WL, Nov. 27, 1780 [PHarH]), Reed ordered Bunting arrested and jailed in Philadelphia. Bunting's cause was taken up by two fellow Quakers, John Hoskins and Samuel Allinson, who sent a letter attesting to his innocence, noting he had "suffered considerable loss" for previously refusing to deal with the English. Refer to John Hoskins and Samuel Allinson to WL, Dec. 2, 1780 (NN). The writers argued that Bunting was being mistreated in the Philadelphia jail and asked that he be considered innocent until proven guilty. According to Samuel Rowland Fisher, Livingston sent for Bunting, interviewed him about the situation and ordered him released (PMBH, 41:326–31).

## From Timothy Johnes

Morris Town December 9, 1780

Much Esteemed & Honoured Sir,

I received yours of the 6th instant,<sup>1</sup> am happy to find you chosen again to the first Honorable Station in this State, and that by so rich a majority, & am not a little surprized at the contrary minded, especially some of them, but I hope & trust you will still rise superiour to all opposition, long, & more & more shine with honour, & distinguished usefulness in your Station.<sup>2</sup>

I greatly rejoiced to hear that our dear friend Mr. Condict appears so much on the recovery, please to present my kindest respects & devout good wishes to him & Mrs. Condict.<sup>3</sup>

Dear Sir you sent for one or two Books of Letters, I find three made up book-fashion, there are several other bundles filed up, but I suppose the three inclosed to be those wanted, if otherwise, I will send the others. I have not made so free with any of them as to read any of them further than necessary to send those wanted.<sup>4</sup>

Mrs. Johnes presents her best respects to the governor, with whom I most cordially join, and subscribe your Excellency's affectionate and humble Servant

TIMY. JOHNES

ALS, NN.

1. Letter not found.

2. On October 30 WL had been reelected governor of New Jersey by the Joint Council. His opponents had been David Brearley (six votes) and Philemon Dickinson (two votes). WL won with twenty-eight (*Joint Meeting*, 45).

3. As a result of illness, Silas Condict, councillor from Morris County, had missed the Privy Council sessions which fell between Nov. 7, 1780, and June 2, 1781.

4. WL's itinerant life-style caused him to leave his papers and letters with friends, to both lighten his load and protect his writings from capture. See WL to John Morgan, Mar. 8, 1780, 3:318-19.

### From George Washington

*Head Quarters, New Windsor, December 10, 1780.* Washington mentions a congressional act of Nov. 4, 1780,<sup>1</sup> demanding that each state furnish its assigned quota of provisions for the army<sup>2</sup> and forward the supplies to locations designated by him. Washington orders salt sent to Morris, Sussex, and Bergen counties and tells WL that the commissary general<sup>3</sup> will tell him where to send livestock.

ALS, NN.

1. According to the congressional resolution passed Nov. 4, 1780, New Jersey was to supply the army with 12,000 barrels of flour and 996 bushels of salt in addition to beef and pork (*JCC*, 18:1012).

2. To meet Congress's demands, the New Jersey Assembly on Dec. 4, 1780, passed "An Act for the More Speedy and Effectual Procurement of Supplies for the United States" (*Acts* [Nov. 5, 1780–Jan. 9, 1781], 6–10). For a discussion of the supply problem, see Samuel Huntington to WL, Nov. 9, 1780. In December 1780 parts of Washington's army were quartered near Albany, West Point, and Morristown (Fitzpatrick, *Writings of Washington*, 20:454–55).

3. Ephraim Blaine. Azariah Dunham was assistant commissary general for New Jersey. For Dunham's appointment, see George Washington to WL, Aug. 26, 1780.

### From Joseph Reed

December 11th, 1780

Sir

I received your Excellency's Favour of the 5th Instant, respecting Joshua Bunting,<sup>1</sup> with which shall most readily comply by delivering him to any Officer producing your Authority to demand him. In Consequence of an Application to us by his Friends we gave him this indulgence some Time ago on giving security to appear before you & abide your Order, & if further proof should arise here to return, but he refused Compliance, & was of course detained. The Causes of Suspicion against him were that being found in Garveys House after the Family had denied any Persons being upstairs, & that in conversation with Joel<sup>2</sup> Mrs. Garvey said that if he could be got to Buntings on his way to New York he would be safe—besides which it appeared that Garvey had lodged there frequently on Terms of particular Intimacy, from

which we concluded his House was one of the Stages for Deserters & Prisoners passing to New York, as well as for commercial Intercourse.<sup>3</sup> We beg Leave to send you an Information left at his Lodgings by one of our Officers lately exchanged, who is now visiting his friends in the Country, but will be here in a few Days.

I write your Excellency informing that Steelman<sup>4</sup> in consequence of Ball & Prices<sup>5</sup> coming to the Town had refused to qualify to the Information voluntarily given me but which I have no Doubt is true, he has never sent me his Narrative as he proposed. The Power of Gold seems too great for that of Honesty & Patriotism, but it seems indispensably necessary for the publick Welfare to check this Intercourse as soon as possible. I have the Honour to be with great Regard your Excellencys Obedient Humble Servant,

J.R.

P.S. I beg Leave to add that I have received a Letter from Hon. Mr. Scudder respecting Garvey, & that we shall be ready to deliver him to any Officer authorized to take Charge of him.

Df, PHarH.

1. For WL's extradition request for Bunting see WL to Joseph Reed, Dec. 5, 1780.
2. Joel was the British deserter turned informant. For Reed's willingness to employ Joel see Joseph Reed to WL, Nov. 13, 1780.
3. Patrick Garvey, a trader from Philadelphia, was accused of commerce with the British and jailed in Philadelphia in November 1780. Garvey was transferred to the Gloucester County jail on Feb. 7, 1781, and the Burlington jail four days later. Bunting was removed from the Philadelphia jail several days after the date of this letter, and taken to the Gloucester County jail. He was then interviewed by WL, who ordered his release (PMBH, 9:634, 41:326).
4. Joseph Steelman of Greenwich Township, Gloucester County, was arrested along with Bunting and Garvey and was accused of trading with the enemy and counterfeiting. He apparently confessed these crimes to Joseph Reed, but then recanted his testimony. See Joseph Reed to WL, Nov. 13, 1780, and refer to Joseph Reed to WL, Dec. 2, 1780 (PHarH). Steelman was released on May 23, 1781, on £500 bail.
5. Joseph Ball and Richard Price of Gloucester County were among those denounced by Joel for trading with the British. They were jailed in Gloucester County and then Burlington.

## From Timothy Pickering

Newburgh December 14. 1780

Sir,

Sometime in October last I had the honour to address the legislature of New Jersey on the Subject of forage. I mentioned the distress of the army for want of it—& the necessity of large quantities being provided for supplying the teams employed in transportation through the state.<sup>1</sup> Not long after I made a similar representation to congress,<sup>2</sup> with hopes that some more effectual measures would be recommended & adopted to furnish that necessary article. But the latter I believe has produced nothing save the enclosed resolution,<sup>3</sup> which I now transmit to your Excellency in obedience to the direction it contains. I hoped that a pointed application would have been made by Congress immediately to the several states; as the matter is referred to me, I request your Excellency's attention to it, in such a degree as its great importance demands. I have the honour to be with the greatest respect, your Excellency's most obedient Servant

TIM: PICKERING

ALS, NN.

1. For the immediate response of the legislature with respect to the forage issue, see WL to George Washington, Nov. 15, 1780. Pickering's letter on forage was read to the legislative council and assembly on Oct. 27, 1780. In response, the legislature passed, on Dec. 4, 1780, an "Act for the more Speedy and Effectual Procurement of Supplies." This act replaced "An Act for Procuring Provisions for Use of the Army and other Supplies for carrying on the War and for settling the publick Accounts of this State," passed Dec. 25, 1779, and the supplement to that act passed Mar. 18, 1780. The act also replaced "An Act to enlarge the Power of the Contractors of the Several Counties in this State, for a limited time," which was passed on June 17, 1780, but was due to expire. The new act empowered the superintendent of purchases of New Jersey to direct the contractors of the several counties to procure pasturage for horses and cattle belonging to the army. The superintendent was also responsible for the purchase and transport of army provisions requisitioned by Congress or the commissary general. The powers of the contractors to obtain supplies were enlarged to include the right of impressment (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 6–10; *General Assembly* [Oct. 24–Dec. 8, 1781], 7–8, 13–15, 17–18, 21–22, 47, 49; *Legislative Council* [Oct. 24, 1780–Jan. 9, 1781], 7–14, 16, 25–27).

2. Congress issued a warrant for Pickering for \$1,050,000 for forage and other sup-

plies for the coming winter season (*JCC*, 17:740; 18:991). Because of the low value of continental dollars (the \$50,000 was issued for Pickering's personal use and was estimated at under \$700 in specie), bills of credit used in the transaction were to bear interest after August 1780. Nevertheless, Pickering found it impossible to secure supplies in states such as New Jersey without cash on the line. As a result, Pickering wrote Washington an anguished letter on Oct. 28, 1780, disclosing his deep concern over the deteriorating supply of forage and urged Washington to use his personal prestige to induce New Jersey's residents, among others, to supply forage willingly. Refer to Octavius Pickering, *Life of Timothy Pickering*, 3 vols. (Boston:1867), 2:263–65.

3. See WL to George Washington, Nov. 15, 1780, n. 1.

## To George Washington

Trenton 15th. December 1780

Dear Sir

Since the repeal of our Act, appointing a State Commissary of Prisoners,<sup>1</sup> to which the Legislature was induced by the recommendation of Congress,<sup>2</sup> we are frequently embarrassed about the exchange of our Citizens captivated by the Enemy, whether on duty as Militia, or unarmed in their Habitations; Some complain of Partiality, and others think it hard that they cannot reap the benefit of the Reprizals they make, at the risque of their lives, on the Inhabitants within the Enemy's lines, for the express purpose of redeeming their friends from Captivity. Since the repeal of the said Act, the exchange of Prisoners seems to be intirely committed to the care of the Commissary General of Prisoners; Whether that Gentleman, being an Officer of Congress, thinks himself accountable to the Authority of this State as far as respects our Citizens, prisoners with the Enemy, I know not; but it appears highly reasonable that we should, thro' some Channel or other, be enabled from time to time to learn how far the Regulation of Congress relative to the exchange of Prisoners "taken by the particular Subjects or Troops of New Jersey, or by the private Vessels of War fitted out in this State" is regularly complied with, these being expressly made exchangeable for the Subjects and Inhabitants of this State. To your Excellency he doubtless is accountable; but how far the multiplicity of your Business permits you to superintend that Department, I cannot pretend to say, Our Legislature I presume would not, without reluctance re-appoint a State Commissary of Prisoners, and thereby revive the inconveniences

pointed out by Congress as resulting from various Directions, and divers Commissaries independent of each other. They cannot at the same time disregard the Complaints of our Inhabitants respecting the partialities said to be Committed in the present management of Prisoners, nor refrain from wishing to establish some practicable mode of investigating the Source of the Clamours so frequently raised upon the occasion and for removing in future the Cause from which they spring.<sup>3</sup>

I address your Excellency on this interesting Subject at the request of the Council,<sup>4</sup> and hope to be honored with a line in answer as soon as your leisure shall permit.

Mr. Halstead, one of our most vigilant Magistrates and greatly distinguished for his Zeal and Patriotism, and thence particularly obnoxious to the Enemy,<sup>5</sup> who sent a party on purpose to take him, is under great Embarrassment about his exchange, and hopes your Excellency as far as may be consistent with established Rules, will facilitate his Liberation. I have the Honor to be with the greatest respect Your Excellency's most Obedient Humble Servant

WIL: LIVINGSTON

LS, DLC:GW.

1. Abraham Skinner had replaced Robert Ogden, Jr., as New Jersey's commissary general of prisoners on Sept. 15, 1780. See Abraham Skinner to WL, Sept. 9, 1780, and n. 1.

2. The assembly on Dec. 12, 1778, passed "An Act for appointing a Commissary of Prisoners for the State, and Vesting him with Certain Powers" (*Acts* [Nov. 20–Dec. 12, 1778], 43–44). This act was repealed on the recommendation of Congress by "An Act to provide for the Security, Support and Exchange of Prisoners of War, and to Repeal the Act, intitled, An Act for appointing a Commissary . . ." (*Acts* [May 24–June 19, 1780], 110–16). For the congressional recommendation refer to *JCC*, 16: 48–52. For background on prisoner exchange and the office of commissary general see also WL to William Burnet, Sr., June 5, 1780 and WL to Abraham Skinner, June 5, 1780, 3:415–16.

3. In April 1780, WL and Robert Ogden, Jr., then commissary of prisoners, had quarreled about the propriety of exchanging a British officer, Captain John Johnes, for an American civilian, Robert Neil. Refer to WL to Robert Ogden, Jr., Apr. 3, 1780 (NN:Lyon). For more recent problems of prisoner exchange involving both civilians and the military see Abraham Skinner to WL, Sept. 9, 1780.

4. For council request to WL on Dec. 13, 1780, see *Legislative Council* (Oct. 24, 1780–Jan. 9, 1781), 30.

5. For background on the imprisonment of Matthias Halstead, see Joanna Halstead to WL, July 22, 1780.

### From John Witherspoon

*Philadelphia, December 16, 1780.* Sends WL copy of resolution passed by the Hartford Convention<sup>1</sup> recommending that George Washington be vested with extraordinary powers to force states to comply with Congressional request for supplies.<sup>2</sup> A congressional committee of three persons, including John Witherspoon, will meet to decide whether Benjamin Franklin<sup>3</sup> should be recalled from Paris and to determine why clothing has not been shipped from France to America.<sup>4</sup> Congress will send either John Laurens or Alexander Hamilton to France to expedite shipment of these supplies. Report received by Congress that British are considering offering the United States new peace terms, but Witherspoon doubts its accuracy.<sup>5</sup> Witherspoon considers financial condition of United States alarming and believes states must give up paper money. He claims one Virginia delegate is convinced that Virginia must give up claims to western land, which will be source of revenue for the nation.<sup>6</sup> Reports there is a strong congressional faction opposed to incurring more foreign loans.<sup>7</sup> Governor John Rutledge of South Carolina comments on fighting there.<sup>8</sup> Witherspoon wants to know what action the New Jersey legislature has taken to supply the army.<sup>9</sup> Comments that currency exchange rate is 75 to 100 in relation to specie and merchants have raised prices 25 percent.<sup>10</sup>

ALS, NN. Portions of this letter are published in Burnett, *Letters*, 5:487–88.

1. The Hartford Convention, composed of delegates from New Jersey, Massachusetts, Rhode Island, Connecticut, and New York, met on Nov. 8, 1780, to bolster the powers of the Continental Congress, particularly its ability to procure troops, money, and supplies. For a full report of the convention's proceedings refer to William Bradford to Thomas Jefferson, Nov. 22, 1780, Boyd, *Papers of Thomas Jefferson*, 4:138–41.

2. On congressional demands for supplies from New Jersey, see "Scipio" to the New Jersey Legislature, Oct. 26, 1780, and Samuel Huntington to WL, Nov. 9, 1780. New Jersey and other states were reluctant to comply with the demands. Hence the Hartford Convention suggested, in a previously published portion of this letter, "that the Commander in chief of the Army of the United States be authorized and empowered to take such Measures as he may deem proper & the public Service may render necessary to induce the several States to a punctual Compliance with the Regulations which have been or may be made by Congress for Supplies for the year 1780–1781." Witherspoon recognized the need to have "vigorous executive Powers put in the Hands of Persons at the

Head of Affairs either in the military or civil Departments” and voiced “Confidence in Gen. Washington.” Nevertheless, he expressed serious doubts about the measure and was of the “Opinion of Gen. Washington that I do not think he would accept or act in Consequence of such Powers.” On Dec. 12, 1780, Congress appointed a committee of five to consider the Hartford Convention proposals (Fitzpatrick, *Writings of Washington*, 20:452n; Burnett, *Letters*, 5:445n; *JCC*, 18:1141).

3. Benjamin Franklin had been United States commissioner to France since 1776.

4. On Oct. 25, 1780, Congress resolved, in a portion of the letter not published by Burnett, “to send an Envoy Extraordinary to the Court of France for the Special Purpose of soliciting & forwarding the Supplies” from French seaports to the United States. On Dec. 11, 1780, Col. John Laurens was elected special commissioner to France (*JCC*, 18:975–77, 1141).

5. On Nov. 6, 1780, John Jay reported to Congress that Count de Floridablanca had informed him that the British Privy Council was considering a plan to send commissioners to the United States with new proposals. The report proved false (John Jay to President of Congress, Nov. 6, 1780, Wharton, *Revolutionary Diplomatic Correspondence*, 4:143; Lord George Germain to Gen. Sir Henry Clinton and Vice-Adm. Marriot Arbuthnot, Aug. 3, 1780, *Documents of the American Revolution, 1779–1780* [Dublin, 1977], 16:375).

6. Virginia’s representatives to Congress during the fall of 1780 were James Henry, Joseph Jones, James Madison, and John Walker. Jones and Madison were strongly in favor of Virginia’s ceding western lands to the United States. Hence when Congress on Sept. 6, 1780, rejected a 1779 resolution passed by the Virginia Assembly that denied Congress authority over western lands, Madison and Jones immediately introduced a motion to cede part of these lands “as a common fund for the use and benefit of . . . the United States” (*JCC*, 17:806–08). Jones returned to Virginia the following day to persuade the legislature to support partial land cession. As Witherspoon observed in his letter to WL (in a section deleted by Burnett), “one of the late Delegates of Virginia [Madison] came here [to Philadelphia] with [ . . . ] Eyes open & a full Purpose to endeavour to persuade those of His State in great Measure to relinquish their absurd Claims & [ . . . ] Cessions of Land to the united States[.] If this should be the Case there would be an excellent Fund of Credit.” On Oct. 10, 1780, Congress resolved that for the welfare of the nation, unappropriated lands should be settled and formed into states under congressional authority (*JCC*, 18:915–16). On the previous controversy over Virginia’s claim to western land and the Virginia Land Office, see WL to William C. Houston, Nov. 5, 1779, 3:195–97. Virginia finally ceded land northwest of the Ohio River on Jan. 2, 1781 (Boyd, *Papers of Thomas Jefferson*, 3:625–36, 4:386–91).

7. For congressional concerns about foreign loans see Samuel Huntington to WL, Nov. 9, 1780.

8. The southern action involved Gen. Francis Marion, who on November 15 and 16 inconclusively attacked the British garrison at Georgetown, S.C. On Nov. 22, 1780, at Blackstock’s Plantation on the Tiger River, Gen. Thomas Sumter’s men forced the retreat of Lt. Col. Banastre Tarleton’s forces. For reports of previous action in South Carolina, see Abraham Clark to WL, Oct. 22, 1780 and refer to William C. Houston to WL, Nov. 28, 1780 (NN).

9. The New Jersey Legislature in a memorial to Congress objected to the strain imposed on New Jersey’s resources by the demands of the army for supplies and requested that other states help bear the burden. See Representation of the New Jersey Legislature to the Continental Congress, Nov. 20, 1780.

10. As Witherspoon noted in a portion of the letter previously unpublished in Burnett, “the Exchange of Money here [in Philadelphia] is nominally 75 really 100 at least for hard money itself cannot be bought at less than 100 if for that. . . .” On New Jersey’s efforts to cope with the exchange rate, see Representation of the New Jersey Legislature to the Continental Congress, Nov. 20, 1780.

### From John Dennis

[Brunswick December 26th: 1780]

May it please Your Excellency.

Last fall, one Doctor Hunt, Brown, & some other Man [?] were lurking about the ten Mile Run for some time, with a desine to take you,<sup>1</sup> but haveing no Opertunity, Committed some Roberies in that Neighbourhood & went of; this Information I have from a person that was then at New York & knew the arrand they was on.

Last Thursday or Friday, Seven Men under the Command of a Lieut. passed Powles Hook, on that same Attrotious business, who I believe are now lurking in this State, this I have from what I think is good Authority: though you may have had this Intelligence yet I thought it my Duty to Communicate to you again.

I hope so Much attention will be given, as to Enable you to Disappoint them in their hellish Schemes. I am Your Excellencys Real Friend Obedient & Very Humble Servant

JOHN DENNIS

ALS, NN.

1. James Moody, acting under orders from George Beckwith, aide-de-camp to Lt. Gen. Wilhelm Knyphausen, was the last person apprehended in New Jersey for attempting to capture WL. Refer to John Stevens to WL, Aug. 2, 1780 (NN); *NJA*, 2d ser., 4:551–52. For other attempts to kidnap WL see also WL to John Jay, June 17, 1779, and WL to William Livingston, Jr., June 24, 1779, 3:114–15, 123–25.

### To Thomas Jefferson

Trenton 27th December 1780

Sir

I have to thank your Excellency for the Copies of the Acts of the Virginia Assembly from the Beginning of the year 1779, which accom-

panied your Favour of the 27 Sept.,<sup>1</sup> and am obliged to your Excellency for your Intentions of transmitting your future Acts regularly hereafter. We have a standing Resolve in our House of Assembly for interchanging our Acts with the other States; but I believe it has not been regularly carried into Execution.<sup>2</sup> The Speaker<sup>3</sup> however informs me that a Set has been transmitted to the Virginia Delegates in Congress for the use of that Commonwealth. I have the honour to be with every Sentiment of Respect Your Excellencys most obedient Servant

WIL: LIVINGSTON

ALS, Vi. Also published in Boyd, *Papers of Thomas Jefferson*, 4:241.

1. Refer to Thomas Jefferson, Circular Letter to the Governors of the Other States, Sept. 27, 1780 (Boyd, *Papers of Thomas Jefferson*, 3:669).

2. An act was passed Dec. 20, 1779, by the New Jersey Legislature to send copies of the state's laws to Congress and neighboring states. See WL to Assembly, Dec. 11, 1779, 3:258. New Jersey had not, however, been diligent in furnishing copies of its acts to other states and legislation to do so passed sporadically. Refer, for instance, to Caleb Camp to Samuel Huntington, June 20, 1780 (DNA:PCC, 68).

3. Josiah Hornblower was speaker of the New Jersey Assembly.

### To John Witherspoon

Trenton 28 December 1780

Dear Sir

Since my Receipt of your agreable favor of the 16th: instant,<sup>1</sup> I have received an official Copy of the Proceedings of the Convention at Hartford & cannot but admit with you the dangerous power thereby recommended to be conferred on the Commander in Chief; I think it the more extraordinary, as the Convention at the same time recommended to the States therein represented to invest Congress with such powers as rendered the other altogether unnecessary. I must however acknowledge that rather than run the hazard of being finally subjugated by Britain for want of those supplies which the States are able to furnish [but] which they will probably not furnish without compulsion & admitting they could not otherwise be compelled, I would in Imitation of a People as fond of Liberty as we can be supposed to be, vote for a Dictator & in that case I should prefer no man on the Continent before him to whom I verily believe a kind Providence directed us in our choice of a Generalissimo.<sup>2</sup>

Though no person will be received at Petersburg in a public capacity even tho' sent by a State the sovereignty of which is recognized unless invited to the Convention of the armed Neutrality, yet I think our Envoy from Congress will be of use, particularly in preventing the Effects of a Misrepresentation of our Circumstances at which the English are great adepts, & am therefore glad to find you have gone into the measure. I have often thought that had we from the Beginning of the Contest had more Agents at the Courts in Europe, we should have reaped from it Advantages much superior to the Expenses attending it.<sup>3</sup>

The two young Gentlemen you mention as Candidates for an Envoy Extraordinary to the Court of France are I believe for their years as promising as any you are like to find, but I should make the Same objection that you do their youth. It is not in Books nor Genius nor any thing else but long experience in the ways of men to acquaint us with the Duplicity of the human heart & much less with the infinite doublings subterfuges which the policy & finesse of Courts have Superadded to its natural *deceitfulness*.<sup>4</sup>

If Dr. Franklin appears incapacitated for farther services on account of his advanced age (of which like all other old men he will himself be an improper Judge) I hope, he will for his former Services, be set down as Easy as possible, that no party spirit will be suffered on that occasion to sway the Deliberations of those who have the Direction of that matter. I have been Sensibly affected at some late Liberties taken with his Character which I had reason to believe rather originated from that [misused] Source than from any cause he had given for such illiberal & unbridled malignity.<sup>5</sup>

With respect to Foreign Loans, I am so fully convinced that the Business of financing is above my capacity that should I attempt to enter upon that subject, I should be instantly deterred by the History of the Fellow whom Hannibal found haranguing on the Duties of a General without having the least acquaintance with military affairs.<sup>6</sup>

Lcy, MHi.

1. See John Witherspoon to WL, Dec. 16, 1780.

2. For the Hartford Convention's recommendation that George Washington be given extraordinary powers see John Witherspoon to WL, Dec. 16, 1780, and n. 2.

3. On Dec. 19, 1780, Francis Dana was elected by Congress as minister to Russia. He was instructed to gain Catherine II's recognition of American independence and to secure United States admission to the Treaty of Armed Neutrality (*JCC*, 18:1170-73).

4. Congress elected John Laurens as special commissioner to France on Dec. 11, 1780 (*JCC*, 18:1141).

5. Benjamin Franklin unsuccessfully tendered his resignation to Congress on Mar. 12, 1781 (Benjamin Franklin to President of Congress, Mar. 12, 1781, President of Congress to Benjamin Franklin, June 19, 1781, Wharton, *Revolutionary Diplomatic Correspondence*, 4:282–83, 511).

6. WL is probably referring to an incident described by Livy in *The War with Hannibal*, Bk. 21, Sect. 51.

## Pardon of Henry Sellers

Trenton, January 1, 1781

THE STATE OF NEW JERSEY To all to whom these presents shall [concer]ne Greeting. Whereas Henry Sellers hath been lately indicted and Convicted at a Court of Oyer and Terminer and [general gaol] delivery, held at Freehold in and for the County of Monmouth, of a Robbery, for which he hath been adjudged by the said Court to suffer Death And Whereas the said Henry Sellers hath been recommended by the Honorable David Brearly Esquire Chief Justice, to His Excellency William Livingston Esquire Governor and Commander in Chief of this State in Council as proper to be pardoned<sup>1</sup> and the Council (seven were of. . . .) did advise His Excellency to grant it the said Pardon—<sup>2</sup> Know Ye Therefore, that the said Henry Sellers is hereby pardoned, released and discharged, of and from the Crime aforesaid and of and from the said Judgment or Sentence, and from all or any Execution thereof Provided always, and it is the express Condition, on which this pardon is granted, that the said Henry Sellers, do forthwith enter himself, and serve on Board some one of the Continental Frigates during the War, on failure wherof this pardon, and every clause [ . . . ] and thing therein contained are to void, and the aforesaid Judgment or Sentence of the said Court to be carried into Execution, Of which the High Sheriff of the County of Monmouth 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 hereunto 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 Trenton the first day of January in the Year of our Lord One

thousand Seven hundred and eighty one and in the fifth Year of our Independence

WIL: LIVINGSTON

*By His Excellency's Command*

BOWES REED

DS, NjH.

1. David Brearley's letter has not been found though its contents are described in the minutes of the January 1 Privy Council. Brearly requested pardons for Sellers and Benjamin Lee convicted in Monmouth for rape and robbery. The council recommended pardons for both men.

2. The phrase beginning with "the Council" and ending with "said Pardon" was inserted at a later date.

### Representation of the New Jersey Legislature to the Continental Congress

[January 3, 1781]

To the United States in Congress assembled,

The Representation and Remonstrance of the Legislative Council and General Assembly of the State of New Jersey *Sheweth*,

That the Legislature of the State did by their representation dated the sixteenth day of June in the year of our Lord one thousand seven hundred and seventy eight which was read in Congress and entered in their journals on the twenty-fifth day of the same month, make sundry objections to, and propose correspondent alterations in, the articles of confederation proposed by Congress to the Several States in union.<sup>1</sup>

That although a majority of the said States in Congress did not agree to the said alterations; nevertheless urged by the then critical state of public affairs, and particularly by the circular letter of Congress dated the tenth day of July in the same year, the Legislature did, by an Act of the twentieth of November following, an exemplification of which was read in Congress and entered in their journals on the twenty-fifth of the same month, empower the Delegates of the State to subscribe the said articles of confederation.<sup>2</sup>

That avoiding unnecessary repetitions, they beg leave in the most

earnest and explicit manner to call the attention of Congress to these several records: as from them it is clearly understood in what confidence this State waved for the time their just pretensions described in the sixth article of the representation before mentioned, and postponed every private consideration to the happiness and perfection of the Union; well convinced, that the time could not be far distant when every partial and unfounded claim would be equitably and satisfactorily relinquished.<sup>3</sup>

That they saw with the utmost surprise an office opened by the Commonwealth of Virginia for the sale and disposal of lands which before and, at the commencement of the present war were confessedly vested in the crown of Great-Britain, when on the plainest principles of the law of nations, of reason, truth, and justice, they are become by the revolution vested in Congress for the use of the faederal Republic they represent.<sup>4</sup>

That it is the indispensible duty of this Legislature in justification and defence of the rights of the people to except and remonstrate in the most pointed terms against the disposition of any property under the foregoing description for the separate emolument of any State.

That they acknowledge no tribunal but that of Congress competent to the redress of such a grievance as the setting up by any State an exclusive claim to any of the said lands in whatever part of the Union they may be situated; and they see with pleasure in the proceedings of Congress of the sixth day of September and tenth day of October last,<sup>5</sup> the faithful and generous efforts made by that honorable Body to compromise and adjust differences upon this subject, and have the fullest hopes they will be effectual.

That is the habitual predilection of this State that all causes of complaint, jealousy, and contest, not only upon this, but every other subject, should subside under the conciliatiing influence of equity, moderation, and liberal affections; (an example of which on the present question is furnished by an adjoining State)<sup>6</sup> and that it may never become just to entertain a thought of resorting to other means.

Confiding, therefore in the watchful care, the wisdom, justice, and firmness of Congress, they assure themselves that the Republic will be secured against detriment, and the rights of every State in the Union strictly maintained.

Council Chamber January 3d. 1781. Signed in and by Order of the House

WIL: LIVINGSTON

House of Assembly Dec. 29, 1780. Signed in and by order of the House;

JOSIAH HORNBLOWER

DS, DNA:PCC 68.

1. For the substance of these objections and alterations see WL to the Assembly, May 29, 1778, 2: 343–55, n. 5. For New Jersey's proposals and the negative congressional decision regarding them, see *JCC*, 11:647–51.

2. The New Jersey legislation was "An Act to authorize and empower the Delegates of the State of New Jersey, in Congress, to subscribe and ratify the Articles of Confederation and Perpetual Union between the several States" (*Acts* [Nov. 20–Dec. 12, 1778], 3–4; *JCC*, 11:681; 12:1161–63).

3. In article six the New Jersey representation objected to Article 9 of the Articles of Confederation, which provided that no state be deprived of territory for the benefit of the United States. The New Jersey Legislature believed that lands which had belonged to the crown of Great Britain previous to the revolution ought now to be at the disposal of Congress for the benefit of all states (*JCC*, 11:649–50; 17:808).

4. For most recent discussion of the western land issue see John Witherspoon to WL, Dec. 16, 1780.

5. On Oct. 10, 1780, Congress resolved that those lands ceded by the states, in accordance with Congress's Sept. 6, 1780, recommendation, would be settled and formed into states. In addition, Congress promised to reimburse any state for expenses incurred in maintaining garrisons and forts within the territories. Congress also refused to recognize purchases and deeds from Indians for lands within the territories to be ceded that had not been ratified by congressional authority (*JCC*, 17:806–7; 18:915–16).

6. The reference is to the New York State Legislature, which passed "An Act to facilitate the Completion of the Articles of Confederation and Perpetual Union among the United States of America" on Feb. 19, 1780. New York authorized its delegates to Congress to assent to limiting the state's western boundary. The New York act was read in Congress on Mar. 7, 1780 (*JCC*, 16:236; *DNA:PCC* 67, 2:f.250). The instructions to the New York delegates to Congress are in *Public Papers of George Clinton*, 5:499.

From John Adam

Elizabeth Town 3d. January 1781

Sir

I am honoured with your Excellencys Letter of the 11th. ultimo<sup>1</sup> enclosing the 12th. Section of the late Act for the more effectually to prevent the Inhabitants of this State from Trading with the Enemie or

going within their lines, and for other purposes therein mentioned. And am sorry that the Legislature of the State should entertain an Idea, which might render the 12 Section of that Act necessary, as it seems among other things to indicate want of Trust in the Commissary. A Deputy Commissary of Prisoners Stationed at this Post, and tacitly Charges them with (at least) allowing an illicite Trade and intercourse with the Enemy.<sup>2</sup>

How far reports may Justify your Excellency in supposing that the Flag Boats at this Place are greatly perverted to the purpose both of Trade & Passing into our Lines, the most dangerous Characters, I cannot pretend to say.<sup>3</sup>

But I am Concious [it] Never has been done thro' the Channel of my Office and I cannot but hope your Excellency will do me the Justice to think so when this matter is Elucidated.

I would beg leave to observe to you Sir that tho' I am Executing the Office of Deputy Commissary of Prisoners at this Post, yet I am not the Commanding officer, and cannot therefore be accountable for the unproper Conduct of the People of this Place on the Arrival of a Flag. I am sorry to say I too have frequently been a shamed of it, and of the Want of that steady military Exertions in the Officers necessary to prevent it; But I flatter myself I have done my Duty satisfactorily to the Commander in Chief under whom I more immediately serve and that you will be convinced of the propriety of my Conduct whenever a fair Examination may [be] had. In the mean time wishing you the Compliments of the Season. I have the honor to be with great Respect Your Excellencys Most Obedient Humble Servant

JOHN ADAM

ALS, NN.

1. Letter not found.

2. "An Act more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other purposes therein mentioned" was passed Dec. 22, 1780. Section 12 stipulated that every commissioned officer commanding troops near enemy lines, and every commissary or deputy commissary of prisoners was required to take an oath to uphold the terms of this act (*Acts* [Nov. 15, 1780–Jan. 7, 1781], 11–19).

3. WL reported his suspicion of illegal trade on the Elizabethtown Ferry in an earlier letter to George Washington. Refer to WL to George Washington, Dec. 20, 1780 (DLC:GW). The illegal trade with the British at Elizabethtown had persisted throughout the war. See, for instance, George Washington to WL, Nov. 22, 1777, and Dec. 21, 1778, 2:120–21, 520–21.

## To George Washington

Trenton 5 January 1781

Dear Sir

I have the Honour to transmit to your Excellency 13 Copies of our Act for completing & keeping up the Quota of Troops belonging to this State in the service of the United States, & am with the highest Esteem and respect your Excellency's most humble Servant.<sup>1</sup>

WIL: LIVINGSTON

ALS, DLC:GW.

1. In response to resolutions in Congress of Oct. 3 and 21, 1780, recommending that the states complete their apportioned quotas of troops, New Jersey passed "An Act for completing and keeping up the Quota of Troops belonging to this State, in the Service of the United States" on Dec. 26, 1780. The act provided for the enlistment of 300 volunteers before Mar. 1, 1781, and after that whatever additional number was necessary to maintain the quota needed for two regiments of infantry. They were to serve the duration of the war and receive a bounty on enlistment as well as salary (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 19–23; *JCC*, 18:893–96, 958–61). See WL to George Washington, Oct. 23, 1780, and refer to Washington's "General Orders" of Nov. 1, 1780, Fitzpatrick, *Writings of Washington*, 20:277–81. This act repealed two previous acts: "An Act for recruiting by voluntary Enlistment, the three Regiments of this State, in the Service of the United States," passed June 9, 1779, and "An Act for completing the Quota of Troops belonging to this State, in the Service of the United States," passed Mar. 11, 1780 (*Acts* [May 22–June 12, 1779], 86–88; [Feb. 26–Mar. 21, 1780], 59–62).

## To John Butler

Trenton January 7 1781

The pennsylvania line are this day expected here.<sup>1</sup> As the Commissary General of [Stores] has informed us that there is no Beef in the Magazine at this place I am therefore requested by Council to desire you to use your utmost endeavours to send on as speedily as possible a supply of Beef and pork to this post.<sup>2</sup> I am your most obedient servant

WM LIVINGSTON

Lcy, NCooSHi.

1. On Jan. 1, 1781, the Pennsylvania regiments of the Continental army, encamped at Morristown, rebelled because of overdue discharges, lack of provisions, and arrears in

pay. That same night they marched to Princeton where negotiations began with emissaries sent by Congress. On January 9 the mutinous troops marched to Trenton after several requests by Gen. Anthony Wayne that they move away from the British. WL had been kept informed by an express rider of the rebellion's progress, and of a possible British attempt to exploit the situation by launching an attack. Refer to WL to John Breese, Jan. 9, 1780 (MHi), in which WL directed the New Jersey treasurer to pay Breese \$6 for bringing him the news of the revolt. Refer to Elias Boudinot to WL, Jan. 2, 1781 (NN); Robert Stockton to WL, Jan. [3], 1781 (NN); Nathaniel Heard to WL, Jan. 3, 1781 (NN); Samuel Smith to WL, Jan. 3, 1781 (NN); Jacob Crane to WL, Jan. 4, 1781 (NN); and Moses Jaques to WL, Jan. 5, 1781 (NN).

2. On Dec. 4, 1780, "An Act for the more speedy and effectual Procurement of Supplies for the Army of the United States" was passed. It repealed "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," passed Dec. 25, 1779, and the supplemental act to the above, passed Mar. 18, 1780, and it replaced the expired "Act to enlarge the Power of the Contractors." The new act abolished county supply quotas established by the previous acts. It also empowered the superintendent of purchases for New Jersey to direct county contractors to procure supplies in accordance with resolutions of Congress, the requisitions of the commander in chief of the army, and the quartermaster or commissary general without respect to those quotas (*Acts* [Oct. 26–Dec. 25, 1779], 41–47; [Feb. 26–Mar. 1780], 69–73; [May 24–June 19, 1780], 116–20; [Nov. 15, 1780–Jan. 9, 1781], 6–10). For WL's correspondence pertaining to provisions see Philip Schuyler, John Mathews and Nathaniel Peabody to WL, July 26, 1780, John Mathews to WL, Aug. 19, 1780, and George Washington to WL, Aug. 26, 1780.

### From Nathaniel Heard

*January 10, 1781.* Heard reports that the British captured twelve men from Col. John Webster's regiment.<sup>1</sup> British ships remain anchored at Billop's Point.<sup>2</sup> New Jersey militiamen are resentful that they were not discharged. He fears there will be mass desertions. Discontent and a breakdown in discipline have spread to officers as well as men. Heard offers an account of the misconduct of Lieutenant Brown. The lieutenant was accused of drunkenness and "arming a Centinel and firing off his gun . . . and even proceeded so far as to make a pass at him with his Bayonet."<sup>3</sup> Heard recommends clemency.

ALS, NN.

1. This party, headed by Ens. Lewis FitzRandolph of Col. John Webster's regiment, was carried off to Staten Island (*NJA*, Newspaper Extracts, 5:178, and refer to Nathaniel Heard to WL, Jan. 20, 1781 [NN]).

2. The revolt of the Pennsylvania line of Continental troops enhanced chances of a British invasion. See WL to John Butler, Jan. 7, 1781.

3. Although Brown was ordered court-martialed, Heard told WL that "being well acquainted with Lt. Brown's Family and Connections I was induced to order the Court to be adjourned until further orders." Heard admitted Brown's conduct "was unbecoming an

officer and much out of Character as a Gentleman," but he asked that Brown not be brought to trial because of the "grief it will occasion his Father who is a man of unblemished Character and a Zealous friend of his Country." WL's reply has not been found.

## From James Burnside

Trenton January 11th 1781

Sir

About one oClock to Day the Two Men who came to the Pennsylvania Line when at Princetown with proposals to Join the British were hung<sup>1</sup> in Pennsylvania about three Hundred Yards beyond Paddy Colvin's near the Upper Ferry.<sup>2</sup>

Matters relative to the Troops now in Town are in a fair way of being settled; the enclosed will inform you of the general Terms and I understand that Tomorrow they will begin with the first Regiment.<sup>3</sup>

It will no doubt require some Time to settle the Accounts; if each man must be furnished with a Certificate for what is due to him, whether that is now to be the case I don't (nor can I pretend) to say. The Troops since their arrival here have conducted Matters with the greatest Decorum, though the Inhabitants would be well pleased that they were gone.

You'll please to excuse inaccuracies this being wrote in Mr. Richmonds<sup>4</sup> outer Chamber where there is great Noise etc., & believe me to be Sir Your well wisher and very Humble Servant

JAMES BURNSIDE

ALS, NN.

1. Sir Henry Clinton sent John Mason and James Ogden to the Pennsylvania mutineers with an offer of protection, back pay, and exemption from military service. The troops turned the British emissaries over to Gen. Anthony Wayne and proclaimed their intention to turn and fight if the British should attempt to invade New Jersey. See WL to John Butler, Jan. 7, 1781.

2. The Upper Ferry crossed the Delaware River above Trenton. Patrick Colvin's ferry house stood on the Pennsylvania side of the river.

3. Enclosure not found. The agreement called for the creation of a board to rule on disputed terms of enlistments; enlistments for three years or the duration of the war were to be considered as expiring at the end of the third year. In addition, arrears of pay were to be paid up as rapidly as possible and a pair of shoes, overalls, and a shirt were to be supplied to every soldier within a few days.

4. Jonathan Richmond.

## To John Jay

January 14, 1781

. . . I have a morbid aversion to writing any news respecting public affairs, & the more so, since I have seen several intercepted letters from some of our too leaky politicians published in Rivington's Gazette . . . Our success in the South is too encouraging to countenance the least apprehension that the British are one inch nearer the completion of their design of conquering us, than they were before the reduction of Charles Town.<sup>1</sup> I verily believe on the contrary that by dividing their force, & exciting new opposers against them, who would never have been called into action had they continued in these parts, we shall finally be gainers by their frequent detachments from their main body in New York to the Southern States.<sup>2</sup>

We have had a great mutiny in the Pennsylvania Line,<sup>3</sup> arising partly from the difficulty of complying with some of our engagements to the soldiers, partly from not having paid a proper attention to their complaints, and partly from their grievances being magnified & their discontent inflamed by British Emissaries. The mutineers comprehending the whole line except about two hundred, marched from their huts at Veal Town to Princeton in military array. General Clinton, upon the first intelligence of the matter, assembled a considerable force upon Staten Island, & kept himself in readiness to invade this State the moment he should discover in the mutineers a disposition to desert to him. To induce them to this traitorous measure, he sent a spy to the conductors of the meeting with the most alluring offers; but the men spurned his overtures protesting that they were not traitors like Arnold nor mutineers from disaffection to the cause, but to procure a redress of grievances. They added that if the enemy should land in the State, they would face about & attack them with greater bravery than they had ever displayed in the contest. In proof of their professions, they delivered up the spy & his guide who were both executed . . .

Forest H. Sweet, *Autograph Letters: American Historical Material* (Battle Creek, Mich., ca. 1950), 141:89 (extract).

1. Charleston was reduced by the British on May 12, 1780. See Henry Brockholst Livingston to WL, July 12, 1780.

2. Since global commitments deprived the British army in America of the troops necessary to fight the American forces in the north on better than equal terms, the British, after 1778, concentrated their military activities in the south where they believed small forces could be effective and a large number of Loyalists could be counted on to join in military operations. For a report of the southern campaign see John Witherspoon to WL, Dec. 16, 1780. The most recent troop movement from New York took place in December 1780 when Gen. Henry Clinton ordered Benedict Arnold to lead 1600 men to Virginia. For plans of the British offensive in Virginia refer to William C. Houston to WL, Nov. 18, 1780 (NN).

3. See James Burnside to WL, Jan. 11, 1781.

### To Sarah Jay

*Trenton, January 14, 1781.* Commiserates with Sarah on the death of her daughter and hopes Sarah will soon “be restored to my arms.”<sup>1</sup> WL reports that Sarah’s son Peter “is a very fine boy” and that he has recently “received a Letter from him written with his own dear little fingers.”<sup>2</sup> WL will encourage Peter in his determination to learn to read. At Peter’s request WL has bought him a primer with “pictures of his family, and General Washington in the frontispiece, & a Letter which I wrote which is in characters in imitation of Printers types, which he was able to read and understand.”<sup>3</sup>

ALS, Nj. Published in Morris, *Unpublished Papers of John Jay*, 2:174–75

1. For the birth and death of the Jay child see Henry Brockholst Livingston to WL, July 12, 1780, and John Jay to WL, Nov. 22, 1780.

2. Peter Augustus Jay had remained with his grandparents at their farm in Parsippany while his parents were in Europe.

3. This primer, published June 23, 1779, contained what is believed to be the first engraved portrait of Washington.

### To Philip Schuyler

Borden Town 18 January 1781

Dear Sir

I was obliged to Decamp from Trenton to this place on the Entrance of General Wayne’s myrmidons into the former least they might make a holyday with my public Documents.<sup>1</sup> At present the Lads are as easy as the Congress to Pennsylvania are just. Throughout the whole contest,

good has always come out of evil. This reflexion has supported me in every Difficulty. Even this alarming Mutiny has ended to our honour [&] the confusion of the Enemy.

LBC, MHi.

1. See James Burnside to WL, Jan. 11, 1781.

### To Jean Holker

Borden Town 19 January 1781

Sir

I am just now favoured with your Letter of the 12th Instant.<sup>1</sup> I hope I need not assure you of my promptness to invigorate & give the utmost exertion to every legal measure for supplying the army & navy of his most Christian Majesty at Rhode Island. But if the wheat in question was either purchased or attempted to be exported contrary to any Law of this State (of which in the capacity of Governor I am not the proper Judge) it is not in the Power the Governor and Council to grant Mr. Van Deron any relief.<sup>2</sup> On the other hand, if the parties who have seized it, have acted illegally either in matter or form, the Law is equally open to him, & he cannot fail of redress. His Remedy therefore must be by applying to the Courts of Justice, & advising upon the case with able Counsel at Law. The Executive Authority of the State has no right to interfere with the judicial proceedings of the civil Courts unless the matter be brought up by way of Appeal of Error from the Adjudications below. If however I can be any way instrumental in procuring in future any Act of our Legislature to facilitate his Majestys Troops being supplied with provisions in this State, or such Exceptions in favour of his Army & Navy as may promote the Service of so good & illustrious an Ally, you may rest assured Sir, that I shall not be wanting to exert my utmost Influence on so interesting an Occasion. I am with great Esteem and Attachment Sir your most humble & most obedient Servant<sup>3</sup>

WIL: LIVINGSTON

ALS, DLC: Jean Holker.

1. Jean Holker's letter was enclosed in a letter to WL from John Vanderen of Jan. 16, 1781. Holker's letter informed WL that a shipment of wheat, milled by Vanderen and bound for the French forces encamped in Rhode Island, had been seized in New Jersey in

accordance with a state law forbidding the exportation of flour except for the Continental army. Holker requested that WL waive the prohibition in this case in consideration of the ally's need and because the wheat had been purchased by Turnbull & Co. in October before the law's existence. Refer to Jean Holker to WL, Jan. 12, 1781 (NN) and John Vanderen, Jr. to WL, Jan. 16, 1781 (NN).

2. The "Act for the more speedy and effectual Procurement of Supplies for the Army of the United States," passed Dec. 4, 1780, empowered county contractors to seize for the army any provisions they considered in danger of being conveyed out of state. Within three days of the seizure the contractor was required to turn the matter over to a justice of the peace for that same county to decide on the legitimacy of the seizure. The original owners had the right to request a jury, but their only recourse was a judicial remedy (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 6–10).

3. No further correspondence in regard to this issue has been found.

### To William Livingston Jr.

Borden Town 19 January 1781

Son William

As the practice in Chancery among us, respecting the duty of the Clerks, differs considerably from that in England in amount of the number of Clerks & sub Clerks there, it may be proper to give you a short sketch of their business in our Courts.<sup>1</sup>

The Complainants Bill is generally filed before the opening of the Subpoena with one of the Clerks, who in that cause is the Complainant's Clerk during the course of that Suit. He signs the subpoena as Clerk, but it is generally made out by the Complainants Attorney.

He should have a book for entering the minutes of the proceedings in the Cause, as when the Bill was filed (which he also notes to be filed in the margin of it, length wise, & the date, & then signs the memorandum as Clerk) & the subpoena issued, & when he receives notice from the adverse Clerk in the cause of any transaction in it.

He also makes out, if the defendant does not appear, all the subsequent process to compel his appearance, (when applied to for that purpose by the Complainants council) as the attachment, Writ of Proclamation, commission of Rebellion, sequestration, etc.

When the defendant enters his appearance, it is certified by his clerk to the complainants Clerk who certifies it to the Complainants Council. The complainants clerk thereupon at the request of the [Defense] Council makes a Copy of the Bill for him.

The English rule that the Copies must contain a particular number of words, is not observed here.

The copies are made on half sheets tied on the top & to turn over.

The [Defense] clerk on the other hand is to make a copy of the Defendants answer for the Complainant, & so vice versa till the Cause is expired.

The beginning of the Writs must be—"New Jersey The State of New Jersey To"—and the text "Witness his Excellency etc. (inserting the Governors title) at Trenton, the day of in the year of our lord 178 . I inclose Proceedings.<sup>2</sup>

The clerks must file all proceedings by Bill & Answer, & sign all office Copies to be read in court.

I also inclose a copy of the Clerks fees in old money<sup>3</sup> by which you will not only find the fees for such Article of Business but also more fully what the Clerks business is. I am, your affectionate father,

WIL: LIVINGSTON

P.S. For the cause of the Suitors, I shall soon appoint four clerks & the other necessary officers, & publish their appointment in the newspapers, that the people may know where to apply.

ALS, Private Collection of George C. Rockefeller, Madison, N.J.

1. "An Act to confirm and establish the several Courts of Justice within this State" confirmed the powers of New Jersey courts of law and equity as they existed prior to the Declaration of Independence. In England the chancery court evolved out of the inability of ordinary common law courts to deal with the defendant or out of the fact that the criminal law was at fault. The ordinances of Sir Francis Bacon (1620) defined chancery as a court of equity with jurisdiction over forms of property recognized in equity and contract. Bacon's ordinances gave the court jurisdiction acquired by reason of the convenience of procedure of the court. This would include the administration of the estates of deceased persons, the guardianship of infants, and causes such as those pertaining to legacies and marshalling of assets.

In 1705 the first royal governor of New Jersey, Lord Cornbury, approved an ordinance to establish a court of chancery in that province with the jurisdiction accorded in English custom. In 1770 Gov. William Franklin confirmed the powers of the court. The New Jersey Constitution of July 2, 1776, named the governor as chancellor, thereby continuing the colonial practice. Thus, except for minor additions to its powers occurring through statute, the New Jersey Chancery Court remained essentially the English court defined by Bacon until modified in the New Jersey Constitution of 1844. See Commission to Jonathan Ayers, [Sept. 6, 1776], and WL Order, [Oct. 4, 1776], vol. 1:138-41; WL to John Henry Livingston, Sept. 29, 1778, and WL to Abraham Clark, Dec. 30, 1778, 2:450-51, 524-26; *Acts* (Sept. 13, 1776-Mar. 17, 1777), 4; and *The Works of Francis Bacon* (Boston:1861), 15:351-72.

2. Enclosure not found.

3. Congress had introduced a new currency on Mar. 18, 1780, and was gradually withdrawing old currency from circulation. See Representation of the New Jersey Legislature to the Continental Congress, Nov. 20, 1780, and WL to the Assembly, Sept. 14, 1780.

## From George Washington

Head Quarters—New Windsor January 23d. 1781

Dear Sir,

Having received information from Colonel Shreve of the defection of the Jersey Line, and apprehending the most dangerous consequences may ensue, unless an immediate stop shall be put to such horrid proceedings; I am now taking the most vigorous coercive measures for that purpose.<sup>1</sup> I thought it necessary your Excellency should be apprised of my intention in order to prevent any compromise being made with the Mutineers, as well as to have the Militia of the State in readiness to cooperate with the detachment. I have ordered under Major General Howe to quell the insurrection.<sup>2</sup>

I doubt not we shall derive every aid from the good People of Your State, in suppressing this Mutiny, not only from a conviction of the dangerous tendency of such proceedings to effect the entire dissolution of the Army, but as it may affect Civil as well as Military authority to have a redress of grievances demanded with arms, and also from a sense of the unreasonable conduct of the Jersey Troops in Revolting at a time when the state was exerting itself to redress all their real grievances.

It will be necessary to take your Measures with secrecy & advise (General Howe) the Commanding officer of the detachment of them—who will march (if the heavy fall of Snow last night does not render it impracticable) by the rout of Ringwood, Pompton etc.<sup>3</sup> I have the honor to be with great respect & Regard [Dear Sir] Your Most Obedient & Most Humble Servant.

GO: WASHINGTON

ALS, NjR.

1. The New Jersey line of the Continental army consisted at this time of about five hundred troops divided into two regiments. One regiment was at Pompton under the direct command of Col. Israel Shreve, while the other, under Col. Elias Dayton, was stationed at Chatham to prevent any movement of the Pennsylvania Line mutineers toward the British during their march on Trenton. The actual rebellion occurred on January 20

when a detachment of about two hundred troops at Pompton, disobeying Shreve's orders, marched to Chatham in the hope of rallying the other regiments to their cause. See WL to John Butler, Jan. 7, 1781, and James Burnside to WL, Jan. 11, 1781. They were joined by some of the Chatham troops, and unrest continued for two days, until on January 23 Col. Dayton promised redress and a pardon on the condition there would be no further disobedience. The soldiers accepted Dayton's offer and returned to Pompton.

2. Maj. Gen. Robert Howe, commander of West Point, led a number of New England detachments ordered to rendezvous at Ringwood for this mission.

3. After midnight on the morning of January 27 five hundred men under Howe marched from Ringwood to Pompton eight miles away. The mutineers were surrounded and ordered to parade in line without arms. Three of the ringleaders were given a summary trial and condemned to be shot on the spot by twelve of the mutineers. After two had been shot, the third, by the recommendation of his officers, was pardoned.

## From George Washington

Ringwood January 27 1781

Dear Sir,

I have the pleasure to inform your Excellency that the measures concerted for quelling the mutiny in the Jersey line were this morning carried into full execution.<sup>1</sup> The mutineers were unexpectedly surrounded and awed into an unconditional surrender with little hesitation and no resistance. Two of the principal actors were executed on the spot, the rest pardoned. The spirit of mutiny seems now to have completely subsided and to have given place to a genuine repentance. This was very far from being the case previous to this step, notwithstanding the apparent submission which the assurance of redress had produced. They still continued insolent and refractory, and disobedient to the commands of their officers.<sup>2</sup>

A general pardon was promised by Colonel Dayton, on condition of an immediate and full return to duty. This condition was not performed on the part of the mutineers and of course they were not entitled to the benefit of the promise; besides which the existence of the army called for an example. I have the honor to be with perfect respect and regard your Excellency's Most Obedient servant.

Df, DLC:GW.

1. See George Washington to WL, Jan. 23, 1781.

2. Although Col. Elias Dayton had secured the agreement of the mutineers to return to their quarters at Pompton and await redress of their demands, they continued restive, insulting their officers and even threatening one with a bayonet. Washington's decision to

execute the ringleaders was not based on the behavior of the mutineers after their pardon by Dayton. Dayton's pardon took place on January 23 while Washington ordered the executions in a January 22 letter to Major General Robert Howe (Fitzpatrick, *Writings of Washington*, 21:128–9).

## To George Washington

Borden Town 28 January 1781

Dear, Sir

I have just been honoured with your Excellency's favour of the 23d instant, & am greatly mortified at the defection of the Jersey Line. I should immediately have given orders agreeably to your Excellency's request, had I not at the same time received Intelligence of their being returned to their duty.<sup>1</sup>

I am very apprehensive that the army will suffer for the want of supplies as much this winter as they did the last, & perhaps not bear it with equal good humour. But the want of money to procure them, is not to be cured by any other device in the power of human Invention.<sup>2</sup> I am with the greatest Esteem Dear Sir your most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. John Stevens, Jr., had written to WL that "the defection [of the Jersey line] was not general and that they were in a fair ways of settling matters with the mutineers." Refer to John Stevens, Jr., to WL, Jan. 26, 1781 (NN).

2. Prior to the actual revolt, when discontent was building among New Jersey continental soldiers in late December and early January, the New Jersey Assembly considered and rejected a "Supplement to an Act intituled, An Act for the more speedy and effectual Procurement of Supplies for the Army of the United States." The legislature did, however, pass two acts to compensate the soldiers for the depreciation of their pay. "An Act for making Compensation to the Troops of this State, in the Service of the United States, for the Depreciation of their pay" was passed on Jan. 6, 1781. This act appointed three commissioners to settle deficiencies of pay according to a scale of depreciation where January 1777 equaled one and July 1780 equaled sixty. After deducting the value of all articles of clothing and state stores furnished to each soldier, the commissioners were to provide each man with one-quarter of the calculated compensation. The remainder was payable by a note maturing within three years at 6 percent interest retroactive to August 1780. The notes were negotiable and transferable and could be used in payment of debt. Soldiers were entitled to claim the second fourth of their compensation in March 1781.

The legislature also passed, on Jan. 8, 1781, "An Act to raise by loan for Discharging the Bounty to be paid to the Troops required by Congress as the Quota of this State." The purpose of this Act was to pay troops their future bounty immediately upon enlistment.

In addition to the above legislation, the assembly ordered the two commissioners appointed by the first act to draw from the treasury £2,250 to advance to the soldiers of the New Jersey Brigade. Twenty dollars went to each officer and five to each noncommissioned officer and private. These sums were to be deducted from the first quarter of the compensation (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 31–36, 37–39; *General Assembly* [Nov. 15, 1780–Jan. 9, 1781], 73–74, 79–82, 83, 84, 86–88, 89, 90, 92–93, 94, 96, 97, 101; *Legislative Council* [Oct. 24, 1780–Jan. 9, 1781], 49–50, 60, 62, 63–64). For New Jersey's legislative response to congressional demands see also George Washington to WL, Dec. 10, 1780, n. 2.

### From John Mathews

Philadelphia January 29th: 1781.

Sir

I am honoured with the receipt of your favour of the 10 inst. covering a letter for Mr. Jay, & another for Mr. Pen.<sup>1</sup> The first I have delivered to the President of Congress, to be sent with his dispatches by Colonel Armand,<sup>2</sup> who [s]ets of in a few days for France, from whence he will forward it by the first *safe* opportunity. The other I have given in charge to Mr. Sharp<sup>3</sup> one of the North Carolina delegates, who has undertaken to forward it to Mr. Pen. If at any time, I can be of service to you, Sir, I hope you will without the least reserve command me [as?] I shall always esteem such an employment an honor conferred on me.

I most earnestly wish, my Dear Sir, I had it in my power to communicate to you my intelligence, that would have the effect you desire, but I am afraid if you rely much on good news to beguile the tedious hours of your present solitary situation, it will require all your philosophy to guard you against the consequences of disappointment; for our affairs at this time wear an aspect by no means pleasing, nor can I view, even at a distance, any prognostic of its hightening.

Congress have been for the last ten days seriously, & *industriously* engaged in ways & means for establishing a permanent fund on which they might be enabled to build a future credit.<sup>4</sup> It seems, past contracts, is here a secondary consideration—perhaps you may say, a previous and equitable adjustment of this point, would have been as substantial a foundation, on which to build a credit, as any that could have been devised. This problem I leave for wiser heads than mine to solve. However, after the most mature consideration, Congress have agreed to call on the states, to grant to the United States, a duty of four per cent to

commence on the first day of May next, on all foreign commodities imported into the states to be estimated on the vendible price within the states respectively. Also, a like duty on the sale of all prize goods. And one eighth of a dollar per ton on all shipping from foreign ports. This impost to continue untill the debts already contracted, or that may be hereafter contracted by the United States, shall be finally discharged. Thus far we have proceeded. But alas! what does all this amount to? It is computed to produce about 6 or 700,000 dollars specie per annum, when the interest alone, of the debt already contracted, amounts to 2,000,000 of dollars annually. Thus you will see Sir, a great deal remains to be done. As we proceed with this subject I will take the liberty from time to time of informing you of our determinations. In the mean time, what I have already mentioned may serve to fill up some of your vacant hours, to contemplate on. The policy or impolicy of this plan, is a matter of no small moment.

In a letter lately received by Congress, from Mr. Dumas (a private agent employed by them in Holland)<sup>5</sup> he says, The British Minister at the court of Petersburg,<sup>6</sup> has offered on the part of his Master, to accede to the northern convention, provided the United Provinces were excluded. This has alarmed their High Mightinesses<sup>7</sup> not a little. And I fancy will induce an immediate recession in their demands of a guarantee of their East Indies possessions. The blundering policy of the British Ministry for the last five or six years, must open a most futile field for a commentary by the historian of those days. Had they studied 'till dooms day for a mode to strengthen the northern league, they could not have devised a more affectual one; for this brings Holland immediately into an accession, which has been the only thing hitherto wanted, to compleat that formidable confederacy.<sup>8</sup>

Be pleased to make my compliments to Mrs. Livingston, & the young ladies. I have the honor to be with the highest respect & regard your Excellency's most Obedient Servant

JNO. MATHEWS

P.S. Maryland have at length—agreed to Confederate. This may be relyed on.<sup>9</sup>

ALS, NN. Portions of this letter are published in Burnett, *Letters*.

1. Letters not found. Pen probably refers to John Penn, a delegate from North Carolina who finished his term in 1780. Jay is John Jay.

2. Charles Armand-Tuffin, Marquis de la Roverie.

3. William Sharpe.

4. After the Nov. 4, 1780, resolution, Congress tackled financial problems in earnest. See Samuel Huntington to WL, Nov. 9, 1780, for a description of the November 4 resolution. Several committees of ways and means were formed to no real effect.

On Jan. 19, 1781, Congress ordered a meeting as a committee of the whole, with John Mathews as chairman, to reconsider finances. On Feb. 3, 1781, Congress passed a resolution from a report of a committee of Jan. 31, 1781. Most of the recommendations outlined by Mathews to WL were presented in the January 31 report and the final February 3 resolution with two exceptions: the percentage rate on duty was changed from 4 to 5 percent, and the "one-eighth of dollar per ton" was not included (*JCC*, 18:1028, 1157-64; 19:72, 77, 85, 98, 102-3, 105, 109, 110, 111, 112).

Although the legislature, on Nov. 20, 1780, abandoned Congress's financial schemes, it did continue to consider committee recommendations to supplement, revise, and/or amend currency legislation. On Nov. 25, 1780, a committee of three was set up to draft a bill to amend the "Tender Acts." On Dec. 25, 1780, the legislature read a message from WL (not found) that contained a congressional resolution of Dec. 22, 1780, and copies of a letter from George Washington on supplies and the proceedings of the Hartford Convention. A committee thereof had recommended that the states take measures to sink their quota of the continental bills as prescribed by Congress, and that an estimate should be taken of the annual amount of the interest of loan certificates and debts due from continental purchasing agents. One recommendation, which was used in the Feb. 3, 1781, congressional resolution, proposed that Congress have the power to levy a tax upon specific articles, duties, or imposts. Refer to William Bradford to WL, Nov. 22, 1780 (Nj). WL had also received several other letters expressing economic concerns. See John Witherspoon to WL, Dec. 16, 1780, and refer to Henry Remsen to WL, Dec. 16, 1780 (NN). Remsen had feared that because of depreciation, specie would be drained in New Jersey and had informed WL that Philadelphia merchants refused to accept New Jersey money (*General Assembly* [Nov. 18-Nov. 24, 1780], 35, 38, 39; [Nov. 25-Dec. 1, 1780], 41, 42, 43; [Dec. 2-8, 1780], 49, 50, 52, 56, 57; [Dec. 16, 1780-Jan. 9, 1781], 71, 80, 81, 84, 85, 86, 88, 94; *Legislative Council* [Oct. 24, 1780-Jan. 9, 1781], 31, 33, 46, 47, 53, 55, 56, 57, 58, 60, 61-62, 63, 64, 65, 66, 68).

Finally, at the end of 1780 the legislature addressed the currency crisis. On Jan. 5, 1781, "An Act for ascertaining the Value of the Continental Currency in Payment of Debts" became law. By this act continental bills of credit were no longer accepted as legal tender for the payment of debts. Bills of credit received before this act were to be exchanged at current value or at the rate established by WL and the Privy Council in the Nov. 17, 1780, act. See Representation of the New Jersey Legislature to the Continental Congress, Nov. 20, 1780 (*Acts* [Nov. 15, 1780-Jan. 9, 1781], 30-31).

Since neither the March 18 nor June 1780 acts had created currency of a denomination lower than one dollar, and because of a Nov. 4, 1780, memorial from William Hendrickson of Monmouth County, the legislature formed a committee on Dec. 23, 1780, and passed on Jan. 9, 1781, "An Act for striking the Sum of Thirty Thousands in Bills of Credit, of the Denomination of Seven Shillings and Six Pence and under, and directing the Mode for redeeming the same" (*Acts* [Nov. 15, 1780-Jan. 9, 1781], 55). Taxes mandated for 1786-1787 would provide the means of striking these bills.

On Jan. 9, 1781, the legislature passed "An Act to extend the Power of the Collectors in receiving certain Certificates in Payment of Taxes," which repealed the act of June 13, 1780. One feature in the January 9 act, reflecting concern for the financial crisis, was the

inclusion of a scale of depreciation for continental currency in New Jersey (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 62–66).

On Jan. 9, 1781, the legislature adjourned until May 15, 1781, and could not take action on the February 3 congressional resolution (*N.J. Journal*, 5:175).

5. Charles William Frederic Dumas. The letter dated Oct. 4, 1780, was received by Congress on Jan. 24, 1781, and is in DNA:PCC 6:472 (*JCC*, 19:78).

6. James Harris, first earl of Malmesbury.

7. Their High Mightinesses: the States General, the legislative body of the Netherlands.

8. The Dutch, along with Sweden and Spain, had been invited to adhere to the Russian-instigated Treaty of Armed Neutrality of February 1780, but were fearful of being forced into war with Great Britain. The Dutch had benefitted from bilateral treaties with the British that entitled them to carry on coastal trade between belligerents and neutrals. Naval stores were described as non-contraband, a definition England recognized in respect to no other country. As Great Britain's military situation grew graver, however, she sought a revision of her treaties with the Netherlands. Failing to achieve this, Great Britain seized Dutch ships along with those of other neutrals. Adherence to the League of Armed Neutrality offered theoretic protection of neutral trading rights, but the Dutch were hesitant to antagonize Britain by claiming such rights without obtaining guarantees that Russia would honor Dutch possessions. The British were determined to prevent the acceptance of the Dutch into the league and threatened to declare war on the United Provinces before the other league powers were committed to her defence. For correspondence relating to this issue see Henry Brockholst Livingston to WL, May 5, 1780, and Baron van der Capellen to WL, July [6] 16, 1779, 3:131–43.

9. Maryland had declined to subscribe to the confederation except on condition that states with claims on western land surrender them to Congress for the benefit of all states. On January 2 the Virginia Assembly, the last to acquiesce, passed resolutions ceding the territory northwest of the Ohio River to the United States. See John Witherspoon to WL, Dec. 16, 1780. On February 2 Maryland passed the act authorizing her congressional delegates to sign the Articles of Confederation. For New Jersey's attitude on this issue see the Representation of the New Jersey Legislature to the Continental Congress, Jan. 3, 1781.

From Peter Augustus Jay

Tuesday night 30th. January 1781

My Dear Grandpapa

I give you a thousand thanks for your letter which I this day received.<sup>1</sup> I was very sorry the messenger was in such haste that Aunt Susan<sup>2</sup> could not make time to guide my hand—but I write as soon as possible in hopes of sending it by the Stage. I thank my Dear Grand Papa for the money, & intend to pay the Taylor with it, as far as it will go towards it, for making my waistcoat & overalls, but he has spoilt

your little P. Clothes so, that he deserves nothing but his labour for his pay.

You must not have so bad an opinion of little P as to think he loves money better than his book, no, no, Grandpapa, I have learnt three or four lessons in my primmer that you sent & I know a great deal of my catechism allready.

This morning when it began to Snow, grandmama said if it came good sleighing she would take me in a sley & go to see Grandpapa, at Raritan or wherever he could be found but the snow turned to Rain & so disappointed us.<sup>3</sup>

Peter wants to see his Papa & Mama very much, tho his Grandpapa & grandmama are so good to him, that their absence is not so great a loss as it would be if he had not such good friends.

Grand-papa has forgot my face I believe, he has made it very queer indeed in the letter with such curled hair; but P. has not forgot Grand-Papa's face—and he can't think of any more to write— & so he remains your very dutiful Grandson<sup>4</sup>

PETER AUGUSTUS JAY

ALS, NN.

1. Letter not found.
2. WL's daughter, Susannah.
3. WL was in Bordentown on January 28, and Trenton by February 2.
4. WL had wished to pursue painting as a career, but his father refused his request to study art in Italy, considering the profession to be beneath the family's dignity. WL continued to sketch throughout his life.

From David Brearley

Freehold January 30th. 1781.

Sir

I have received your favor of the 29th instant.<sup>1</sup> I am really at a loss with respect to Lieutenant Colonel Klein, as Congress dont incline to have any thing to do with him. I think it would be very hard to punish him by the laws of this State, for attempting to go within the Enemies Lines, and to set him at liberty will be an encouragement for him to attempt it again.<sup>2</sup> If, therefore, he can give, almost any sort of, security,

that he will not return into this State again, I believe it would be best for your Excellency to permit him to pass over into Pennsylvania, and from Philadelphia he may probably find his way to Europe. I am your Excellency's most obedient humble servant,

DAVID BREARLEY

ALS, NN.

1. Letter not found.

2. Lt. Col. William Klein of the German Volunteers had a lengthy correspondence about his status with Congress and the Board of War in 1778–1779. He initially arrived in Philadelphia from his native Hamburg to fight the British. He subsequently was commissioned a lieutenant by Congress and placed in charge of attracting German volunteers from British regiments. Refer to Col. William Klein to Congress, Sept. 1778 (DNA:PCC, 13:483). Shortly thereafter the German Volunteers petitioned Congress both to reaffirm their status and remove Klein from command. Refer to "Petition of Captains of German Volunteers to Congress, Nov. 19, 1778" (DNA:PCC, 89). Although others, including Casimir Pulaski, had doubts about Klein's recruiting and leadership abilities, Klein appears to have continued in the post until 1779. Refer to Pulaski to President of Congress, Dec. 4, 1778 (DNA:PCC, 80) and Pulaski to Board of War, Feb. 4, 1779 (DNA:PCC, 84). Refer also to David Forman to WL, Jan. 9, 1781 (NN).

### To John Mathews

Trenton, 2d February, 1781.

Sir,

Our affairs, I am sensible, do not at present wear the most pleasing aspect; but I have known them as bad, yet, thanks to Heaven, I have never desponded; though I have often had my difficulties, I am confident that we shall prevail. I am confident that the Almighty is on our side, and I am confident that the *world was not made for Caesar*. But I know at the same time that Providence will abandon us as a parcel of ingrates, if we neglect to do for ourselves what we can do.

Up and be doing, and then trust for the event to Providence, and God will bless our endeavours. But by the counter-operation of the tories and *faut d'argent*,<sup>1</sup> our political salvation will doubtless resemble that of our eternal one, which the Scripture informs us will be *as by fire*.<sup>2</sup> A complete army, well found and well paid, with General Washington at the head of it, and I doubt not the Supreme Being will soon render us victorious.<sup>3</sup>

If the levies cannot be raised, or when raised, cannot be clothed and

paid on the plans at present adopted by the respective Legislatures, Congress ought to have, undoubtedly, authority to enforce every measure necessary for the preservation of the whole union.<sup>4</sup> What is become of our promise to stand by Congress with our lives and fortunes? is it all evaporated in speculation and speculation, in toryism and neutrality? and are those who have really abided by that solemn compact, tamely to suffer the violation of it by those villains who daily infringe it? There ought, sir, no tory to be suffered to exist in America. And till the line be fairly drawn, and the goats separated from the sheep, we must expect to row against the stream. I am, etc.

WIL. LIVINGSTON

Sedgwick, *Life of WL*, 360–61.

1. *faut d'argent*: want of silver or specie.

2. Isaiah, 66: 15–16.

3. The New Jersey Legislature had passed “An Act for completing and keeping up the Quota of Troops belonging to the State, in the Service of the United States” on Dec. 26, 1780. See WL to George Washington, Jan. 5, 1781.

4. The intent of the Hartford Convention was to increase congressional authority. See John Witherspoon to WL, Dec. 16, 1780.

To John Stevens, Sr.

Trenton 2d February 1781

Sir

Least my Letter to you on the Subject of having a privy Council here, on the 6th of february should have miscarried it being sent by a private hand,<sup>1</sup> I writ another & committed it to the care of your son, who left it with Mr. Furman,<sup>2</sup> where finding it last night inclosed in his, I send this together with his by Express. Other Business has since happened that renders it necessary to have a Quorum sufficient to grant pardons,<sup>3</sup> & unless you attend I doubt whether we shall make a board. As we shall scarcely proceed upon business till Wednesday morning, I suppose if you are here by tuesday Evening it will answer but if you [can] conveniently be here by noon, it will be better. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NjHi.

1. Letter not found.
2. Moore Furman, quartermaster general of New Jersey.
3. According to the New Jersey Constitution, a quorum of seven was necessary for the council to conduct business. On Feb. 6, 1781, only three people in addition to WL attended. The council met on Mar. 28, 1781, with a quorum and approved a recommendation from Chief Justice David Brearley to pardon Robert James, recently convicted of high treason in a Court of Oyer and Terminer (The Constitution of the State of New Jersey, July 2, 1776, in *New Jersey in the American Revolution 1763–1783*, ed. Larry R. Gerlach [Trenton: 1975], 9th article, 214).

### From Gouverneur Morris

Phila: 4 February 1781

Dear Sir

I receive by an Express the melancholy Intelligence that my Mother lies at the Point of Death. In this Situation she is anxious to see two Children who have long been absent from her. I dispaired of being able to get thither in Time and am at the same Time almost convinced that the Enemy would not give me their passport. Mrs. Ogden may perhaps arrive in Time to pay the last Offices of Nature and Humanity to an expiring Parent.<sup>1</sup> Let me intreat of your Excellency a Permission for her to go in All the Reasons for my Request you will feel in your own Bosom and I flatter myself they will speak with more Effect than any Thing which is in my Power. I pray leave to assure you That I am with great Respect your Excellency's most obedient & humble Servant

GOUV MORRIS

P.S. I saw Miss Livingston last Evening & have the Pleasure to inform you she is very well.<sup>2</sup>

ALS, NN.

1. Mrs. Ogden was Euphemia Morris Ogden, Morris's sister, who married Samuel Ogden, patriot and owner of a slitting mill in Boonton, N.J. Morris's mother was a Loyalist. See WL to Charles Stewart, July 31, 1780, for an example of the governor's reluctance to grant passes to women with Loyalist sympathies for any reason.
2. WL's daughter Catharine.

## To George Washington

Trenton 4 February 1781

Dear Sir

I have received your Excellency's favour of the 27th January; and rejoice to hear that the mutiny in the Jersey line is so compleatly suppressed. As lenity is, upon some occasions, truly politic, severity is upon others, absolutely indispensible; and probably from the success of the Pennsylvania mutineers, the fever of revolt would soon have become epidemical, had not the sharpest remedy been applied to check the contagion. I hope however, as well from a regard to Justice, as to prevent all future Insurrections on pretence of being detained in service, beyond the expiration of their Enlistments, that the grounds of all such complaints, if any are still made, may be thoroughly investigated.<sup>1</sup> I have the honour to be, with the greatest Esteem Dear Sir your Excellency's most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. As with the revolt of the Pennsylvania line, one of the leading causes of the New Jersey mutiny was poorly kept enlistment records. Officers claimed that soldiers had enlisted for the duration of the war, while the same enlisted men argued that their enlistment period extended only for three years. The New Jersey mutineers' demand that their oaths be taken as proof of their enlistments, as in the case of the Pennsylvania line, was refused by Col. Elias Dayton even before he extended pardon.

Nevertheless, on January 9, prior to the actual revolt, the New Jersey Assembly empowered three commissioners to investigate the complaints of the soldiers regarding the duration of their enlistments and to make recommendations to the commanding officers respecting the proper discharge date for each soldier (*General Assembly* [Dec. 16, 1780–Jan. 9, 1781], 107).

## From David Brearley

Trenton February 6th 1781.

Sir

At the Courts of Oyer and Terminar and General Gaol-Delivery lately held in the County of Monmouth, the following persons were

Capitally convicted, and are sentenced to be executed on Friday next, to wit, Robert James for High-Treason<sup>1</sup> whose case I have before stated to your Excellency: Humphrey Wade and John Parker for Horse-Stealing,<sup>2</sup> their cases are very clear—they were in company in stealing the Horses, and taken together on them, at a place called Squancum in Shrewsbury, they acknowledged to the Party who took them, that they Stole the Horses out of the pasture of John Coward of Upper-Freehold—Wade is an elderly man, Parker is a youth of about seventeen years of age. I have the honor to be, your Excellency's Obedient humble servant

DAVID BREARLEY

ALS, NN.

1. The Privy Council granted James (or James) a pardon on Mar. 20, 1781 (*NJA* [Privy Council], 3d ser., 1:196).

2. Wade and Parker both escaped from the Monmouth County jail two days before Brearley wrote this letter (*NJA*, 5:194).

### Parole of W[illiam] Klein

[February 8, 1781]

I Lieut. Colonel Klein do hereby give my parole to his Excellency Governor Livingston (who thereupon discharges me from the parole given to his Excellency & the Chief Justice) that I will return from this place to Philadelphia, & not attempt thereafter to come into the State of New Jersey without the leave of the Executive authority of that State in Witness my hand this Eight day of february one thousand seven hundred & Eighty one.<sup>1</sup>

W. KLEIN

DS, MHi.

1. See David Brearley to WL, Jan. 30, 1781. On May 15, 1781, Congress voted to give Klein a year's pay to help him return to Europe, "as there is no further use of him here." Klein, however, had filed suit against the estate of Joseph Galloway, a prominent Philadelphia Loyalist and merchant, who, according to Klein, had falsely arrested him and robbed him of specie and possessions worth over £1,000 in 1777. It may be that Klein remained in America to continue the suit. Refer to William Klein to Congress, Dec. 4, 1779 (DNA:PCC 5:23).

## To Peter Augustus Jay

Trenton 8 February 1781

My dear little boy.

I fear that Peter Jay has forgot his grand Papa because he did not send him a Letter by his name-sake Peter Van gelder but I hope he will send one now.<sup>1</sup> From your Grandpapa

W: LIVINGSTON

The rest Grand Mama must read & tell Peter of it.

The 17 of January there was a Battle between General Morgan & Colonel Tarleton, in which 10 of the Enemys commissioned officers & 100 men were killed & 200 wounded, 29 commissioned officers & 500 men taken prisoners, 2 field pieces of Artillery 2 standards & 800 muskets, 1 forge 35 waggons 70 negroes, & 100 dragoon horses & the mules. Our loss 12 killed & 60 wounded. The 7th & 71st Regiments cut to pieces, above 300 escaped after a pursuit of 20 miles.<sup>2</sup>

This came to Congress in a Letter from General Green.<sup>3</sup>

ALS, NNC.

1. Probably Peter Van Gilder, Jr., a member of the cavalry.

2. The battle of Cowpens was fought on Jan. 17, 1781, when American militia and continental infantry and cavalry retreating northward under the command of Brig. Gen. Daniel Morgan decisively defeated a pursuing detachment of British regular cavalry and infantry commanded by Lt. Col. Banastre Tarleton.

3. Maj. Gen. Nathanael Greene wrote Congress on Jan. 24, 1781, of the Battle of Cowpens (DNA:PCC, 1:folio 533). The letter was read to Congress on Feb. 8, 1781 (*JCC*, 19:129).

## From Samuel Huntington

*Philadelphia, February 8, 1781.* In this circular, Huntington forwards two congressional resolutions recommending that the states vest Congress with the power to levy a duty of 5 percent ad valorem on foreign imports after May 1, 1781. The revenues would be appointed to the general credit of all states passing the necessary legislation.<sup>1</sup>

ALS, Nj.

1. See John Mathews to WL, Jan. 29, 1781, for details on the Feb. 3 and Feb. 7, 1781, resolutions. On the latter date, Congress instructed Huntington to send a letter to the states enclosing the resolutions. Refer to Samuel Huntington to WL, Feb. 8, 1781 (Nj). Refer also to *JCC*, 19:111–12, 124–25.

## From Asher Holmes

Scots Chester 9 February 1781

Sir

Capt. John Schenck<sup>1</sup> will wait on your Excellency Respecting a permit for Mrs. Sarah Wikoff,<sup>2</sup> (the wife of Lt. Col. Okey Wikoff,)<sup>3</sup> to go within the Enemies Lines to Se her Husband who is a prisoner there, and has, been Such, I Believe almost Two years; Since the Col. has Been a prisoner the Enemy have plundered his family Several Times, and Distressed them to a great Degree, his wife is therefore very Earnest to go into See her husband, and as the Enemy will not Let her Land unless the wife of Som Refugee is permitted to go in with her, Mrs. Huldah Vanmeter<sup>4</sup> is Recommended for the purpose as a person as Important as any woman that has a Husband that has joined the Enemy.

Mrs. Wikoff has had your Excellencys permission to go within the British Lines,<sup>5</sup> But Did not go, as they told her She would Not be permitted to Land, for the Reasons above mentioned. Her Situation and Circumstances are truly Distressing, & if your Excellency thinks proper your permission is Requested for her to visit her Husband in Captivity. I am Sir your Humble Servt

ASHER HOLMES

ALS, NN.

1. On the ALS, Holmes wrote and then crossed out "Lieut. John Polhemus."
2. Sarah Wikoff was the sister of John Schenck.
3. Auke Wikoff, lieutenant colonel in the Monmouth County militia, was taken prisoner in September 1780.
4. Huldah (nee Holmes) Van Mater was the wife of Chrinoyonce Van Mater, a Monmouth County Loyalist and a member of the New Jersey Volunteers. He was taken prisoner by the militia at Shrewsbury in late July 1780 and jailed in Philadelphia, where he escaped to New York City along with six others in January 1781 (*Royal Gazette*, Jan. 20, 1781, 251). Huldah Van Mater was also Asher Holmes's sister. For previous correspondence concerning passes, see Gouverneur Morris to WL, Feb. 4, 1781.

5. No written correspondence between WL and Sarah Wikoff has been found. On Dec. 22, 1780, the New Jersey Legislature passed “An Act more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purposes therein mentioned” (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 11–19). Although there is no specific mention of passes, the law stiffened penalties for crossing into or out of enemy lines. For earlier discussion of this act, see John Adam to WL, Jan. 3, 1781.

From Peter Augustus Jay With Note  
in Hand of Susannah Livingston

Elizabeth Town 12th. February 1781

Dear Grandpapa

I have not forgot you as you Seem to imagine, nor been so negligent either for I wrote you a letter some time ago & gave it to Mr [Johns],<sup>1</sup> who said he would get it to your hands, but am very sorry to hear it did not reach you & we have had some very good sleighing here, & if I had a pair of Horses & Sleigh at my command I would have gone to Trenton to see you.

We are much obliged to you for the Turkeys. They are very fat one's, & since their Arrival I have left the salt Provisions to take care of themselves.

I believe you have not been informed, that I have at last got into Breeches after as long a dialogue about it between my grand mama and Aunt Sukey as took place on the same Subject, between Mr. Shandy & his wife, when their little boy Tristram was about to do the same thing.<sup>2</sup> This story you must know grandpapa, that I had read to me the other day, & laugh'd very heartily at it, altho' I did not understand one word of the matter. But it is very cold & my fingers are very numb, so I must bid you adieu. I am dear grandpa your loving grandson

PETER AUGUSTUS JAY

Dear Sir

We received the Turkeys. Dr Winans<sup>3</sup> sent the firkin up,<sup>4</sup> & we paid the freight; your little P. plays his part very well upon them. He has a bad cold & what is very unfortunate a fit of coughing usually seizes him whenever he is called to say his book.<sup>5</sup> We are very much obliged to you

for the poultry. Mama has a violent Cold in her head so that she can scarce see out of her eyes; the rest of the Family are well. I am Sir your affectionate Daughter

S. L.

ALS, NN.

1. Probably John Johns of the Essex County militia.
2. The dialogue referred to appears in Vol. 6, chapter 18, of Laurence Sterne's *Tristram Shandy*, published in separate volumes between 1760 and 1766; the first collected edition was published in 1767.
3. Dr. William Winants (or Winans), an Elizabethtown physician.
4. firkin: a small wooden vessel or cask.
5. Probably his catechism. See Peter Augustus Jay to WL, Jan. 30, 1781.

### From George Washington

*Headquarters, New Windsor, February 13, 1781.* Washington has received WL's letters of Dec. 15, 1780, and Feb. 4, 1781.<sup>1</sup> Commissary of prisoners Abraham Skinner arrived yesterday at headquarters. Washington promises to speak with Skinner about the problems WL raises regarding the exchange policy for militiamen and civilians.<sup>2</sup>

ALS, NN.

1. See WL to George Washington, Dec. 15, 1780, and Feb. 4, 1781.
2. In a letter to Abraham Skinner dated Feb. 17, 1781, Washington noted WL's complaints about the exchange problems concerning militiamen and ordered, as WL suggested, that all militia prisoners be treated like soldiers of the regular army and be "exchanged indifferently." Washington also ordered Skinner to exchange citizens for citizens and further directed him to keep WL informed of exchanges (Fitzpatrick, *Writings of Washington*, 21:236–37).

### Proclamation

[February 13, 1781]

By His Excellency the GOVERNOR

A GENERAL Court-Martial of the militia of the state of New-Jersey is hereby ordered and appointed to be held at the house of Mr. John Cape, in Trenton, on Wednesday the 21st day of March next, for the trial of Lieutenant-Colonel William Chamberlin; of which Court-Martial Colonel Joseph Phillips is appointed President, and Colonels William

Shreve and William Scudder, and Lieutenant-Colonels John Taylor and Oakey Hoagland, and Majors Joseph Brearley and John Van-Emburch, and Captains Philip Phillips, John Hunt, William Tucker, John Mott, Israel Carle and Timothy Titus are appointed Members, and William Willcocks, Esquire, Judge Advocate; and for the trial of such other prisoners as shall be brought before them.<sup>1</sup>

Given under my hand the thirteenth day of February, in the year of our Lord one thousand seven hundred and eighty-one.

WIL. LIVINGSTON

*N.J. Gazette*, Feb. 21, 1781.

1. On October 5 the speaker of the assembly introduced a letter from Lieutenant Colonel Chamberlin which the house judged to contain "false and unjust aspersions and indecent reflections against this House and some Members thereof in particular." In the letter Chamberlin requested a court-martial. On Oct. 7, 1780, WL ordered a court-martial both for Chamberlin and the officers Chamberlin charged with disobedience. The lower house agreed to bear the costs of the trial. The legislative council concurred on the same day (*General Assembly* [Sept. 13–Oct. 7, 1780], 286, 299; *Legislative Council* [May 10–Oct. 7, 1780], 126). For most recent correspondence on the Chamberlin case, see William Chamberlin to WL, Aug. 26, 1780, and Cornelius Stout to WL, Sept. 18, 1780.

### From Cornelius Stout

Amwell February 16, 1781

Sir the Names of the witnesses your Excellency Requested are<sup>1</sup> as Follows

Colonel David Chambers  
 Capt. Phillip Snuke  
 Capt. George Ely  
 Nathan Stout Esquire  
 Lieutenant Phillip Servie  
 Capt. Cornelius Hoppock  
 Capt. John Schenck  
 Capt. James Stout  
 Jacob Snyder  
 Jacob Quick

Sir in Behalf of the officers of our Regiment I have to Request that a Copy of the Proceedings of the Court of Enquirey held in July 1778<sup>2</sup> Respecting Colonel Chamberlin & the Charges therein Contained &

Supported be Laid before the Court Martial as there is Several Sur-  
 comstances therein which Corresponds very much with the Charges we  
 Shall Bring Against him. I am with the Greatest Respect your Excel-  
 lencies most obedient & very Humble Serveant

CORNELIUS STOUT

ALS, MHi.

1. Request not found.
2. Papers not found. See Cornelius Stout to WL, Sept. 18, 1780, n. 5.

### From Jacob Skikkit

Brotherton February 20th. 1781

May it please your Excellency,

With all Duty, Humility, and Respect we address ourselves to you in  
 these Lines, hoping you'll be kind enough to lend an Ear unto them  
 altho they be from us poor distressed Indians, & so styled accordingly.  
 The reason why we are thus Troublesom is to get your assistance and  
 Advice in an Affair which seems to be a trouble unto us & That is we  
 want at Home one Robert Skikkit who is now a Continental Soldier,<sup>1</sup> &  
 to get him discharg'd we know not which way to take nor what to do,  
 but we thought it our Duty to acquaint his Excellency of it, & this is  
 the method we have taken thereto, we do not want him discharg'd for  
 any reason we have against the Countrys cause, but that we have lost  
 our Elder lately by Death so we want him in his place or rather in his  
 own, for he is one of the six by whom we try to regulate small matters  
 among ourselves, & as we have lost our Elder we have become weak &  
 deficient in order thereto And if his Excellency should see proper to  
 advise us we shall ever have it in gratefull remembrance, and so with  
 our hearty good will toward you, and good Wishes for the prosperity of  
 Your affairs we remain Your Excellencys most Dutiful & most humble  
 Servants

JACOB SKIKKIT  
 HEZEKIAH CALVIN  
 BENJAMIN NICHOLAS  
 JACOB W[ ]  
 [ ? ]

LS, DLC:GW.

1. Skikkit belonged to the Munsee Tribe from Brotherton in Burlington County. Brotherton, formerly Edgepillock, was probably the first Indian reservation in New Jersey and is presently the site of Indian Mills. Skikkit served under Col. Israel Shreve. Refer to Israel Shreve to WL, Feb. 27, 1781 (DLC:GW).

### From John Hughes

Philadelphia February 21, 1781

To

His Excellency William Livingston Esq. Governor &  
Commander in Chief of the State of New Jersey

Sir:

I make bold tho a stranger to trouble you at present, beging you may take into your Consideration as an Honest Man, the following Grievances which I think are Very unjustly, as a True friend to my Country I labor under. I am an officer in the Pennsylvania Line and Shortly after the Revolution was appointed Quarter master for Said Line<sup>1</sup> & was by General Wayne Sent from Trenton to Morrestown, there to Settle all accounts of the Said Troop's<sup>2</sup> which I did but my baggage being gon of to Philadelphia all but what I had on my back found I should shortly be naked. Should I be not careful to Recruit upon which I borrow from my friends as much Cash as I thought would purchase one Suit of Cloathe's, haveing So done. I not Knowing any Law to stop Trade in Our Lines went down to Elizebeth Town & purchased out of a store the Cloath of a Uniform Coat with some Trimmings.

But to my great surprise was stopt by a band of robbers in arms on the Road to Morrestown in day light & Carried by them before Squire Campbells,<sup>3</sup> but when he found I had only Some Cloath for my own use he immediately made Reply this is no Trader, he has only Cloath for a Coat & Triming, let him go for it would be cruel to take it from him. But the Culprits being determined to gain money at any Rate, insisted to have the Law Executed against me which the Magestrate tho with Great Reluctance was obliged to do upon which they sell up my Cloath Horse & Furniture & sold them at Vandue, for Twenty Six pounds, but gave one back part of my property for a bribe of Two dollars, & agreeable to Law was fined, in the Sum of Twenty Six pounds which was obliged to pay or answer the Court. I have given you a true

account of the Matter & make no doubt from your Character but will be so kind as to Stop the fine from being levied from me if So, pray be so kind as to inform the Bearer who will write to me in Philadelphia. I shall only pray for Justice. I am with Great Respect your Excellency's Humble Servant

JOHN HUGHES

ALS, NN.

1. Hughes was appointed regimental quartermaster of the Pennsylvania line on June 1, 1778 (Francis B. Heitman, *Historical Register of Officers of the Continental Army during the War of the Revolution* [Baltimore, 1967], 307).

2. For the movements of the Pennsylvania line in January 1781 and its rebellion, refer to Jacob Crane to WL, Jan. 4, 1781 (NN); see James Burnside to WL, Jan. 11, 1781; see George Washington to WL, Jan. 23, 1781.

3. James Campbell, justice of the peace (Essex County Court of Oyer and Terminer, 1780, N.J. Archives, Trenton). The New Jersey Legislature on Dec. 25, 1779, had passed an act to halt illegal trade with the British. Refer 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," section 4 (*Acts*, [Oct. 26–Dec. 25, 1779], 48–50). For other examples of overzealous enforcement of trading laws by militiamen, refer to "Cato," *N.J. Journal*, Feb. 1, 1781. Even without the guise of legality, robbing and plundering were rife among soldiers. For incidents involving soldiers from the Pennsylvania line, refer to Samuel Smith to WL, Jan. 3, 1781 (NN).

### From William Scudder

New Market February 22nd 1781

Sir

Your favour of the 20th Instant,<sup>1</sup> I just now received Informing Me of My mistake In not Sending the Inclosed in my Last, for which mistake I Begg your Pardon.<sup>2</sup>

As to My occasionally mentioning the officers & their concieving themselves Injur'd by being oblig'd to do the duty of other Counties,<sup>3</sup> I would not wish to be View'd by Your Excelency as an Individual Complainant, nor as Conveying the sentiments of my Regiment only, But that of the officers in general of My acquaintance Belonging to the Regiments who are on or near the Lines—& In a Neighbouring County. It hath bin In contemplation for Some time past to petition the Assembly,<sup>4</sup> to adopt a more Equitable Plan for calling out the Militia, that the Bur-

then may not fall so much heavier on those who lay Near the Enemies Borders, than in those who are a little more Remote.

Your Excelency observes “you are sorry to hear such a complaint from an Officer whose complayment of Men have so often Been difiscent.” I acknoledge It hath often Bin the case, to my great Mortifycation. But where Is the Regiment that Is Exempt from such a charge?<sup>5</sup> In Justice to Myselfe & Them, I must Say, that when Ever I have bin call'd out In Conjunction with other Regi[ments?] that I have not found mine so much more Defisient than they, as to [Insure?] a Peticular sense But have in general Brought as many Men Into the Field, as any Regiment of [ . . . ] Numbers. It is not my wish to Reflect on the Council, much Less on your Excelency, under whose Government I think Myselfe happy, & for whome I have Ever possessed the highest Esteem & veneration. Pardon me for troubling you with so long a Letter, & believe me to Be your Excelincies most Obedient Humble Servant.

WM SCUDDER

ALS, NN.

1. Letter not found.
2. Refer to William Scudder to WL, Feb. 20, 1781 (NN). Scudder had neglected to send WL a roster of men.
3. Scudder's men had not been sent out of Middlesex County since Jan. 1, 1779, when WL and the council ordered them to assist in the defense of Monmouth County (*NJA* [Privy Council], 1:112).
4. Petition not found.
5. For previous references to the difficulty of raising the militia see WL to the Colonels of the New Jersey Militia, July 17, 1780.

### To Timothy Matlack

Trenton 22d February 1781

Sir

I did not receive your favour of the 7th instant till last night.<sup>1</sup> I think myself greatly honoured in being elected by the American philosophical Society at their first annual election under the act of Incorporation of the general Assembly of Pennsylvania, a Councillor for two years; and feel myself under singular obligations to the members of so distinguishing a mark of their favourable sentiments of me.<sup>2</sup> But as the pow-

ers of the Council are not yet described it is impossible for me to determine whether I shall be able to discharge the duty that may be expected from me.

Having it to lament that I have devoted so small a portion of my time to philosophical studies, I cannot but distrust my ability to advance either the honour or the interest of an Institution established to diffuse that useful science thro' our rising Empire. But as far as my leisure permits, my abilities extend, or my influence operates, I shall think myself employ'd in promoting the felicity, & exalting the dignity of Mankind, by contributing every possible aid to a Society so happily calculated for those glorious purposes. I am with great respect Sir your most obedient & very humble Servant

WIL. LIVINGSTON

ALS, PPAmp.

1. Refer to Timothy Matlack to WL, Feb. 7, 1781 (NN).
2. WL was elected at the first annual election of the Philosophical Society held on Jan. 5, 1781.

### To Catharine Livingston

Trenton 23d February 1781

Dear Daughter Kitty

I may perhaps take a Jaunt to Philadelphia in April; but my friends there are greatly mistaken if they imagine that the Recess of the Assembly, is recess to me.<sup>1</sup> I always have my hands full. I will however if possible attempt to break out sometime in April as I am very anxious about Seeing my friends in the City, & particularly long to have an old-fashioned frolic with Mr. Morris.<sup>2</sup>

If you meet with Colonel Harrison be sure to present him with my Compliments.<sup>3</sup> I have had many a social & many a jovial hour with him & he was one of my particular favourites for his great frankness & independence of spirit.

LBC, MHi.

1. The New Jersey Assembly was in recess from Jan. 9 to May 15, 1781. WL remained in Trenton throughout April.
2. Robert Morris. WL's daughter Catharine was living in Morris's Philadelphia home. See Robert Morris to WL, Apr. 17, 1780, 3:353–54.

3. Col. Benjamin Harrison, of the Virginia militia and governor of the state. For Harrison's military title refer to John Sanderson, *Biography of the Signers of the Declaration of Independence*, 9 vols. (Philadelphia: 1827), 8:156. Harrison was in Philadelphia in February 1781 to petition Congress for payment of an old debt. Refer to *JCC*, 19:142, 148 and B. Harrison to Congress, Feb. 22, 1781 (DNA:PCC, 85).

## To Robert Morris

Trenton 23d February 1781

Dear Sir

I heartily congratulate you on your appointment to the important office of Financier & I hope no consideration will prevail with you to decline it.<sup>1</sup> I have long wished to see that Department in the hands of one & I am proud to find that my private opinion respecting that one has now received the sanction of Congress. I am convinced Sir that no resolution ever passed by that august Assembly will meet with more general approbation. With universal approbation it cannot meet, because you have done too much for your Country not to create Enemies & indeed in these times so chequered with corruption & patriotism, with public Depravity & public Virtue, to have no Enemies rather diminishes than increases the lustre of one's character. It is not their number but their Species that it behoves an honest Man to consider.

The Connections you have abroad, sir, as well as the Estimation in which you are held at Home, will greatly redound to the benefit of the public in your Exercise of the office in Question.<sup>2</sup> In the Name of Liberty & of our Independence let us be indebted to your [Talents?] for being rescued from the brink of Destruction; & yours be the glory of retrieving the State of our funds at the melancholy crisis of general Despair.<sup>3</sup>

I am confident no twenty arguments, which even your ingenuity is able to suggest for your declining the appointment, can, in the cool, impartial scale of reason, weigh so much, as a single one which I can urge for your accepting it: "The good of Your Country."

Lcy, MHi, *Daily Chronicle* (Philadelphia), Aug. 21, 1841. In the hand of Theodore Sedgwick, Jr. The first two paragraphs in this letter were published in Ferguson, *Papers of Robert Morris*, 1:13–14.

1. On Aug 29, 1780, Congress had directed a committee of five to report a plan for revising and reorganizing the civil executive congressional departments. On Feb. 7, 1781,

the final committee report was approved. Based on this report, Congress passed a resolution establishing three new departments with three new heads of these departments: superintendent of finance, secretary of war, and a secretary of marine. On Feb. 20, 1781, Robert Morris was named superintendent of finance (*JCC*, 17:791; 19:57, 125–26, 180).

2. Morris had mercantile connections in Europe and had served on several congressional secret committees. In a Mar. 13, 1781, letter Morris asked Congress to acknowledge in its minutes that he had been elected as superintendent of finance to benefit his business interests. On Mar. 20, 1780, Congress had resolved that Morris's commercial connections need not be dissolved after taking office (*JCC*, 19:287–88).

3. The public debt was calculated at \$26,617,812 on Feb. 19, 1781 (*JCC*, 19:166).

## To George Washington

Trenton 24 february 1781

Dear Sir

I have received your Excellency's Letter of the 13th february.<sup>1</sup> The present mode of exchanging prisoners therein described appears to me just & reasonable; & I doubt not that in the farther settlement of any plan in contemplation, your Excellency will do full & impartial justice to this State.

I heartily congratulate you Sir, on our late Successes in the Southern States;<sup>2</sup> & I wish with many others, that it may prove no obstacle to your recommending Colonel Washington to further promotion, that he happens to be related to the commander in Chief.<sup>3</sup> With the greatest esteem and most respectful attachment, I have the honour to be Dear Sir your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. See George Washington to WL, Feb. 13, 1781.

2. For a description of the Jan. 17, 1781, battle of Cowpens see WL to Peter Augustus Jay, Feb. 8, 1781, n. 2.

3. Col. William Washington and the General were both descended from Col. John Washington, their immigrant ancestor. Col. William Washington's cavalry had participated in the battle of Cowpens.

## To George Washington

Trenton 1 March 1781

Dear Sir

Your Excellency will perceive that the inclosed Letters request of me a favour entirely out of my Department.<sup>1</sup> How far good policy may require the discharge of the young man, those who have authority to order that measure are Doubtless proper Judges. Mr. Foster, the writer of one of the Letters, is a gentleman of considerable distinction amongst us. Perhaps the preserving the good humour of those Indians, (tho' an inconsiderable tribe) may be of more importance than the detention of a single soldier in the Service. But I do not mean to obtrude my opinion on the subject. I have the honour to be with the greatest respect Dear Sir your most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. For background on efforts to secure the discharge of Robert Skikkit, see Jacob Skikkit et al to WL, Feb. 20, 1781, and refer to Josiah Foster to WL, Feb. 26, 1781 (DLC:GW), and Israel Shreve to WL, Feb. 27, 1781 (DLC:GW).

## From George Washington

*New Windsor, March 1, 1781.* Washington has learned that the New Jersey Legislature gave Maj. Gen. Philemon Dickinson the authority to call out the militia.<sup>1</sup> Washington has ordered Dickinson to hold the militia ready and to place alarm signals at strategic locations in the state. He has not received any specific reports of enemy movements but wants to keep up New Jersey's defenses because he has temporarily relocated out-of-state regular army troops from the area.<sup>2</sup>

LS, NN.

1. On Jan. 7, 1781, the New Jersey Privy Council ordered Dickinson to take command of all militia units in the state (*NJA* [Privy Council], 1:194). For difficulties in raising the New Jersey militia see William Scudder to WL, Feb. 22, 1781.

2. The British in New York were embarking troops on ships in March. Their destination was secret, although an assault on New Jersey was a possibility (Smith, *Historical Memoirs*, 2:388). In February 1781 Washington had decided to send a considerable portion of his troops south. He hoped to capture Benedict Arnold, who had been sent to Virginia with 1600 men by Gen. George Clinton in December 1780. On Feb. 20, 1781, Washington ordered the Marquis de Lafayette to lead a contingent of regular troops from Peekskill and Morristown to Virginia. Among the soldiers were 250 men from the New Jersey line (Fitzpatrick, *Writings of Washington*, 21:242–43, 253–54, 273–74; *JCC*, 19:177). For previous reference to southern military action, see WL to John Jay, Jan. 14, 1781.

### From Samuel Huntington

Philadelphia March 2, 1781

Sir

By the Act of Congress herewith enclosed your Excellency will be informed that the Articles of Confederation & perpetual Union between the thirteen United States are formally & finally ratified by all the States.<sup>1</sup>

We are happy to congratulate our Constituents on this important Event, desired by our Friends but dreaded by our Enemies. I have the Honor to be with every Sentiment of Esteem & Respect your Excellency's most obedient humble Servant

S. HUNTINGTON

LS, Nj.

1. It took four years and four months from the time the Articles were adopted by Congress until they were ratified by the last state on Mar. 1, 1781. See John Mathews to WL, Jan. 29, 1781. For New Jersey's objections to the Articles see Representation of the New Jersey Legislature to the Continental Congress, Jan. 3, 1781.

### From Isaac Collins

Trenton, March 6, 1781

Respected Friend,

The Time was, and I recollect it with Pleasure, when I felt myself obliged as a Citizen by your Friendship and Acquaintance, when I flattered myself that I had your entire Approbation and good Wishes in my Profession; and when as Publisher of the New-Jersey Gazette, I could

not but be [highly] sensible of the Advantages it derived from you[r] Encouragement, Attention and Support.<sup>1</sup> An unfortunate Publication in [ . . . ] this Paper, which, through the eager and excessive Resentment of some, drew after it Consequences, much against my Inclination, gave a very different Appearance to Things.<sup>2</sup> I apprehend this to be the Cause of the Attention & Conduct which has taken Place, as I cannot otherwise account for it. By the Advice of Friends, in whose Candor and good Sense I have Confidence, and conscious of the best Intentions, I am led to make use of this Means to do away every Cause of Estrangement and Disgust.

In the Conduct of a News-Paper, no Man, I believe, is more desirous, or more in the Custom of taking the Advice and Sentiments of such as are reputed knowing and best affected to the Principles of Liberty, but so notwithstanding as to support my own Independence of Judgment and Practice. My Ear is open to every Man's Instruction but to no Man's Influence. You yourself would despise me for having no Opinion of my own. I have ever maintained a sovereign Respect for the Freedom of the Press, as far as I have been capable of comprehending the Nature of it.<sup>3</sup> If I have, at any Time been mistaken in this Respect, those who know me best will most readily declare, that I have wanted only for Conviction to alter what was wrong. Difference of opinions is a common Thing, but I deny and scorn the Imputation of being wilfully in an Error.

The Motives of the Writer of the Piece adverted to are with himself; on my Part I will only say, that no Shadow either of Disaffection or Indifference to the Interests of my Country, no personal Dislike or Disrespect had any Share in my Conduct. I can scarcely bear to take Notice of such an Insinuation, though I know some went so far as to make it. My whole Behaviour is, and ever has been, a direct Contradiction to every Thing of this Kind.

As a Christian, as a Citizen of New-Jersey, as one who is desirous of being useful to the Cause of Liberty and Virtue, I have thought it my Duty to explain these Circumstances, and the Difference of Station points out the Propriety of my making the first Declarations. I am free to profess I shall never decline any Means of removing a subsisting Uneasiness and misunderstanding, provided they are not unworthy of an independent Citizen, conscious of having done intentional Injury to no

man. It shall not be my Fault if I have not the Satisfaction to [ . . . ] the Governor as heretofore, and on the Terms which were [ . . . ] beneficial to the publick and agreeable to my self. I am, Your respectful Friend,

ISAAC COLLINS

ALS, NN.

1. The *N.J. Gazette*, published at WL's behest with the financial assistance of the New Jersey Legislature, first appeared on Dec. 5, 1777. See WL to the Assembly, Oct. 11, 1777, 2:91–92.

2. This may be a reference to the “Cincinnatus” publication of Oct. 27, 1779. For background on the furor resulting from this publication, see “Cincinnatus,” Oct. 27, 1779, vol. 3:183–86.

3. New Jersey practice governing freedom of the press was based on English precedents, which held that “the liberty of the press is indeed essential to the nature of a free state; but this consists in laying no *previous* restraints upon publications; and not in freedom from censure for criminal matter when published.” Printers were subject to prosecution for seditious libel if material they published was critical of the government, its officers, or its laws (Sir William Blackstone, *Commentaries on the Laws of England*, 7th ed. (Oxford; 1775), 4:151–53). WL, in line with libertarian thought at that time, believed it was legally permissible for the press to publish criticism of a bad government but not a good government. He thought printers had to exercise discretion in deciding what to print. If, however, the printer “prostitutes his Art by the Publication of any Thing injurious to his Country, it is criminal,— It is high Treason against the State.” See “Of the Use, Abuse, and Liberty of the Press,” *Independent Reflector*, no. 40 (ed. Milton Klein [Cambridge, Mass., 1963], 336–42).

### To Marinus Willett

Trenton 8th March 1781

Sir

Your Letter of the 15th February<sup>1</sup> I never received till this afternoon; and immediately on the receipt of it, directed my Permit<sup>2</sup> for your Chest to the commanding officer at Elizabeth Town, inclosed in a Letter to Mr Adam,<sup>3</sup> Deputy Commissary of Prisons at that place, desiring his care of it until he can acquaint you of its arrival. I have expressed myself to both in the warmest terms respecting your undoubted veracity & political character, & I question not Mr Adam will be obliging enough to take the custody of it. I should be exceedingly mortified at having your effects confiscated. All the world knows the merit of our army, and how much our officers have suffered in the cause; but there have unfortunately been instances thro' the negligence or corruption of some, &

the rapacity of others, of the greatest villains importing goods from the Enemy's lines in the way of trade, & the most worthy & innocent citizens falling a sacrifice. I shall think myself happy to be instrumental in saving your chest from undeserved depredation.<sup>4</sup> But considering how long your Letter has been on its passage to me, I am apprehensive that it may have arrived, or will arrive before my pass comes to the officer's hands, & in that case it will be no protection as the property will be previously vested in the person making the seizure; after which, having no authority in the matter, it would be inofficial, and therefore improper, for me, to interpose. I am Sir your humble Servant

WIL: LIVINGSTON

P.S. I shall be much obliged to you for forwarding the inclosed Letter to my Brother by the first safe opportunity.<sup>5</sup>

ALS, NjHi.

1. Refer to Marinus Willett to WL, Feb. 15, 1781 (NN), in which Willett complained that despite having obtained a pass from New York governor George Clinton to move a chest from Jamaica, Long Island, to New Jersey, the chest was in danger of being confiscated at Elizabethtown.

2. Permit not found.

3. John Adam.

4. For other instances of zealous enforcement of trading laws, see John Hughes to WL, Feb. 21, 1781.

5. Probably Robert Livingston at the Manor.

To John Jay

Trenton 10th March 1781

Dear Sir

My last to you & Sally were dated the 4th of January.<sup>1</sup> Our affairs in the South, as you will see by the inclosed, have lately assumed a very favourable aspect, & I doubt not we shall soon drive the Scoundrels from that Country.<sup>2</sup>

By Intelligence just received from the Southward, Cornwallis is retreating, General Caswell<sup>3</sup> has collected 4000 north carolina militia in his front, & there were 6000 Virginians in his rear.<sup>4</sup>

Generals Mughlenburgh & Nelson<sup>5</sup> were laying close seige to Arnold at Portsmouth with 4500 men; they had advanced within half a mile of

his works with two mortars. But the rascal can get off by the means of his shipping unless the French fleet can prevent him, but of the situation of that I have no clear accounts.<sup>6</sup> With my Love to Mrs. Jay I am Dear Sir your most humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. WL means January 14. See WL to John Jay and WL to Sarah Jay, both Jan. 14, 1781.

2. Enclosure not found. WL is referring to the Jan. 17, 1781, battle of Cowpens. See WL to George Washington, Feb. 24, 1781.

3. Richard Caswell, governor of North Carolina.

4. WL received his information in a Mar. 6, 1780, letter from John Mathews. Mathews's source was apparently a letter from Thomas Jefferson to Samuel Huntington, Feb. 26, 1780. After the battle of Cowpens, Gen. Nathanael Greene, with Cornwallis in pursuit, led his army to Virginia for reinforcements of men and supplies. Cornwallis halted his pursuit and camped near Alamance Creek in North Carolina. When Greene, reinforced with three brigades of militia from North Carolina and Virginia and a detachment of regulars, reentered North Carolina, he established camp near Cornwallis, but avoided confrontation. Finally on Mar. 14, 1781, Greene moved his men to Guilford Court House and in effect issued a challenge to Cornwallis to attack. Refer to John Mathews to WL, Mar. 6, 1781 (NN) and Thomas Jefferson to Samuel Huntington Feb. 26, 1781 (Boyd, *Papers of Thomas Jefferson*, 5:12).

5. Peter Muhlenberg and Thomas Nelson, Jr.

6. Benedict Arnold and 1600 men had arrived in Virginia on Jan. 4, 1781, with instructions to establish a post at Portsmouth. They plundered Richmond on January 5 and then proceeded to Portsmouth to fortify it against American attack. A small detachment of the French fleet stationed at Newport had sailed for the Chesapeake on February 9 to prevent Arnold's escape by sea. It lacked the mobility and strength to do so and returned to Newport. Arnold avoided capture by the Americans and returned to New York in June 1781 (Smith, *Historical Memoirs*, 2:428). See WL to John Jay, Jan. 14, 1781.

### To Peter Augustus Jay

Trenton. 13 March 1781.

My dear little Son.

Grand Papa has not had a Letter from P. this great while, but hopes that P. has not forgot him, but that he will send him another soon, and then P. does not know what his grand Pa. Livingston will send him. What does he think? Sugar plumbs? No, for P. is a little man in coat and breeches. Cakes? No, for P. is a little man. A rod? No, for P. is a good

little man. What then? Why something that is fitt for such a little man. What is that? Aye but I won't tell, butt P. shall see it very soon. From your loving grand Papa

W. LIVINGSTON

ALS, CSmH.

### To John Jay

Trenton 20 March 1781

Dear Sir

The French fleet sailed from Rhode Island for Chesapeak about a fortnight ago to intercept Arnold's escape; & the British fleet in these parts, two days after them so that we hourly expect some important intelligence. It is said that the french are superior by one ship of the line and three or four Frigates, & as they will probably be in the bay first, that circumstance will greatly add to their superiority.<sup>1</sup>

I am happy to find that Congress have at last consented to what I know was agreeable to your Idea before you left us; & I hope that their coming into the measure at so late a period may not have occasioned some steps at a certain court that may be past recalling by the time their resolutions on that Subject reach you.<sup>2</sup>

I have just now seen his Britannic Majesty's manifesto against the States General; & I hope it will convince all Europe of the necessity of humbling a Prince, who, while at war with three powerful nations, thinks proper to commence hostilities against a fourth.<sup>3</sup> I am Sir Your most humble serv.

WIL. LIVINGSTON

ALS, NNC.

1. A French squadron consisting of eight ships of the line and four frigates commanded by Chevalier des Touches, departed Newport on March 8. Admiral Arbuthnot pursued the French fleet with an equal number of ships of the line. See WL to John Jay, Mar. 10, 1781.

2. WL is referring to the revised congressional instructions regarding the Mississippi sent to Jay on Feb. 15, 1781. Prior to these new instructions, Jay had been directed to negotiate an alliance with Spain without conceding free navigation on the Mississippi. The new instructions conceded American claims of free navigation on the river below the

thirty-first degree north latitude, at the southern border of the Mississippi Territory, and to free ports below that line. Originally, Jay had been in favor of conceding to Spain navigation rights on the Mississippi as well as in the Floridas. By early 1781, as Spain proved itself inimical to American goals of alliance and independence, Jay became convinced of the necessity of demanding the right of navigation (*JCC*, 19:151–53). For a report about the difficulties of the protracted negotiations with Spain, see Henry Brockholst Livingston to WL, Oct. 12, 1780.

3. WL is referring to England's manifesto of Dec. 20, 1782, setting out British grievances against the Dutch republic. For a recapitulation of the events leading up to this situation, see John Mathews to WL, Jan. 29, 1781.

### From William C. Houston

Philadelphia 22 March, 1781

Dear Sir.

The Subject of the Dutch War engrosses the Conversation here. The Capture of St. Eustatius has interfered very deeply with the Property of several Merchants in the City, and some of the best Ships belonging to the Port have been lost in the Fracas.<sup>1</sup> I cannot think, either from the whole Circumstances of the Case, or from the tenour of the Manifesto, that Great-Britain is persuaded The United Provinces will engage in a War, but rather that it is expected they will descend, as, I am sorry to say, they have sometimes formerly done, to unworthy Compliances and patch up the Matter under Conditions of ample Indemnification in Point of Property, which no Doubt Great-Britain will offer. My Hope is greater than my Confidence that the Dutch will not depart from the Principles which have raised them to a Nation, and given them Rank among the Powers of Europe;<sup>2</sup> and knowing that your Excellency has a Correspondence there, and a Reputation probably still more extensive than your Correspondence; I take the Liberty to suggest and observe, what, in all likelihood, has already occurred, that Letters dispatched forthwith to that Country, either directly, or by such circuitous Conveyance as Opportunity may present, will be of essential service.<sup>3</sup> To this may be added, with good Effect, candid strictures on the Manifesto, which lies very open to Remark and Refutation. These may be published immediately here; they will soon find their way to Europe; and a request may be sent to publish them there as American Sentiments. These Things I beg Leave to submit to your Excellency's Attention.

23d March—in the morning

It should seem by the last New-York Paper brought to Town, and by some Reports from below, that either the French or British Fleet have got into the Cheasapeake, but it is doubtful which it may be.<sup>4</sup> I am, with much regard Your Excellency's obedient Servant

WM. HOUSTON

ALS, NN.

1. On Dec. 20, 1780, the same day Britain issued a declaration of war against the United Provinces, British forces were dispatched to undertake the immediate conquest of the Dutch West Indies. Adm. George Rodney captured St. Eustatius on Feb. 3rd, 1781. See John Mathews to WL, Jan. 29, 1781 and WL to John Jay, Mar. 20, 1781.

2. The Dutch response consisted of appeals to the League of Armed Neutrality and to the French for protection of its possessions against the British onslaught. See John Mathews to WL, Jan. 29, 1781.

3. WL maintained a correspondence with one of the leaders of the Dutch patriot movement, Baron van der Capellen, who was also an early advocate of the American cause. See WL to Baron van der Capellen, Mar. 15, 1780, 3:331–33.

4. See WL to John Jay, Mar. 20, 1781.

### From Samuel Huntington

*Philadelphia, March 23, 1781.* Huntington sends WL copies of congressional acts passed on March 16 and 23, which direct that debts contracted for specie value be paid in specie and asking the states to pass laws to make congressional bills of credit legal tender. The acts also request that states pass acts to raise \$6 million to be paid to Congress in quarterly installments with the first payment due June 1st.<sup>1</sup>

LS, Nj.

1. New Jersey's assigned portion of the \$6 million was \$414,728 (*JCC*, 19:266–68, 299). For previous correspondence on federal finances see John Mathews to WL, Jan. 29, 1781. WL transmitted the congressional resolution to the legislature on May 18, 1781 (*General Assembly* [May 15–June 28, 1781], 4).

Court-Martial Sentence of [ . . . ] Morford,  
Charles Fisher, Lewis Baremore, and  
David Gilliland

[March 23, 1781]

By His Excellency the *Governor*.

AT a Court-Martial held by the appointment of Brigadier-General *HEARD*,<sup>1</sup> on the 19th of January last, at the house of James Drake, in the city of Brunswick—

Ensign Morford, of the third battalion of the Middlesex militia, was tried for parading in arms with the men belonging to Capt. Perine's<sup>2</sup> company, and marching from their post in mutiny, and found guilty, and adjudged to be cashiered and rendered incapable of serving in the militia as an officer during the war.

And at a Court-Martial held by the appointment of Brigadier-General *HEARD*, at the house of Jacob Hyer, in Princeton, the fifteenth day of March instant, the following officers were tried:

Lieutenant Charles Fisher, of Col. William Scudder's regiment of Middlesex militia, with disobeying the orders of his Colonel, in refusing to march with a detachment of the said regiment to Morris-Town in June, 1780,<sup>3</sup> found guilty of unofficerlike behaviour, and adjudged to be fined in the sum of five pounds lawful money, or the exchange thereof in continental money, to be recovered and applied as directed by the militia law.

Ensign Lewis Baremore, for refusing to march with the regiment under Major Nixon,<sup>4</sup> in January last, on the revolt of the Pennsylvania line,<sup>5</sup> found guilty of unofficerlike behaviour, and adjudged to be cashiered and reduced to the ranks, agreeably to act of assembly.

Lieutenant David Gilliland, of Col. Scudder's regiment, for disobedience of orders, in not marching with Capt. Perine for the relief of Capt. Stout,<sup>6</sup> when stationed at Monmouth, in February 1779,<sup>7</sup> and for not marching with Capt. Perine to South-Amboy, in October 1780,<sup>8</sup> acquitted on the sufficiency of his reasons for not marching.

All which sentences, and the said acquittal, I do approve of, ratify and confirm.

Given under my Hand, the twenty-third of March, one thousand and seven hundred and eighty-one.

WILL LIVINGSTON

*N.J. Gazette*, Mar. 28, 1781.

1. Nathaniel Heard.
2. Peter Perine.
3. Militia units had been needed to reinforce the regular army in June 1780. The militia from Middlesex, Somerset, and Hunterdon counties were mustered but few men turned out. See WL to Samuel Huntington, June 11, 1780, 3:432–33, n.1.
4. Robert Nixon.
5. For the revolt of the Pennsylvania line see WL to George Washington, Feb. 4, 1781.
6. Samuel Stout.
7. Militia from Burlington, Hunterdon, Middlesex, and Monmouth counties had been ordered to Monmouth County in January 1779. See WL to George Washington, Feb. 8, 1779, 3:34.
8. On Sept. 14, 1780, the Privy Council had advised WL to post fifty men from Col. William Scudder's regiment at South Amboy (*NJA* [Privy Council], 3d ser., 1:171).

From William C. Houston

Philadelphia 28 March 1781

Dear Sir

This Morning I had the Honour of your Excellency's Letter dated the 24 instant.<sup>1</sup> I should have written you by Post yesterday, but knowing of a Conveyance today or tomorrow Morning, I postpond it hoping to possess myself more fully of the News from the French Fleet as well as from General Greene.<sup>2</sup>

The Substance of both you have probably heard; I will set down as shortly and correctly as I can the Details I have collected.

On the 15 instant the Engagement between General Greene and Lord Cornwallis was fought.<sup>3</sup> The Intelligence of it comes verbally to Richmond in Virginia by a Captain Singleton of the Artillery who left General Greene's Head-quarters next Day. Governour Jefferson writes it from thence to Congress.<sup>4</sup> It is said both Armies were prepared and desirous of Action; that the Contest was pretty general and severe, and lasted near two Hours; that it happened about a Mile and a Half from Guilford Court-house in North Carolina that Lord Cornwallis was about 2500 strong and General Greene was near 4000, mostly militia, but this according to General Greene's Letter to Congress dated a few

Days before the Action, must be a mistake, as he could not from Probabilities have more in the whole than about 26 or 2700;<sup>5</sup> that the militia and regulars of our Army suffered nearly equal Number[s] that General Greene retreated about a Mile and a Half from the Ground leaving it to the Enemy, who did not think fit to pursue; that our Loss was about 300 killed, wounded and Prisoners and 4 Pieces of Artillery;<sup>6</sup> among the killed Major Anderson of the Maryland regulars and Capt. Barret of Washington's Cavalry; among the wounded General [Stevens] of the Virginia Militia and Capt. Fontleroy of the abovementioned Cavalry, the latter left on the Field; the Informant says that from what he saw he was of Opinion General Greene meant to renew the Action next Morning but was prevented by a heavy Rain;<sup>7</sup> that there appeared no Want of Spirits in his Army, but being mostly Militia or raw recruits they fought at great Disadvantage against Cornwallis's veterans; that when he left General Greene it seemed to be his Intention to fight the Enemy again as soon as the weather permitted. I cannot however be of Opinion with this Officer but think that the Enemy will either push our Army back, or that General Greene will retreat to a greater Distance to restore his Army to a Condition for another Action. Cornwallis is still near 200 miles from any Part of the Seaboard, and if General Greene can keep a near Countenance upon himself he may still be hurt considerably, and pared away before he gets off, if indeed he shall chuse to retire farther.<sup>8</sup>

The Action between the Fleets is important only in it's Consequences, our Disappointment and the British Fleet getting into Hampton-road. Both Fleets arrived off the Capes of Virginia nearly at the same Time the French rather before, but not long enough to get fairly into the Bay and prepare for debarking the Men.<sup>9</sup> They were under the Necessity of fighting, though neither Side appears to have been very desirous of beginning or earnest in continuing the Action. Nothing decisive has taken Place on either Side; both had some Ships a little disabled.<sup>10</sup> In the French Fleet the [Conquarant] was shot in the Rudder and the Ardent in her Masts and Yards so far to be in an unfavourable Situation for fighting. Some other Ships suffered a little in their Rigging. The French have retreated to Rhode-Island to refit. One of their Frigates is unfortunately left in Cheeseapeak; the Hermion[ . . . ] Capt. de la Touche is arrived at Chester with Dispatches for the Minister. This sadly deranges our Plans, but however we will hope for our Day.

No late News from Europe. As I expect to be at Trenton in a Day or two, shall beg you further attention to what I mentioned respecting the Dutch. Your Ideas are certainly right.<sup>11</sup> I have the Honour to be Your Excellency's obedient Servant.

W. HOUSTON

ALS, NN.

1. Letter not found.
2. The British fleet was commanded by Vice Adm. Marriot Arbuthnot; the French fleet by Chevalier Destouches. Nathanael Greene and his men were placed so as to impede Cornwallis's progress through North Carolina.
3. Greene's force made a stand near Guilford Court House in North Carolina on Mar. 14, 1781. Cornwallis attacked the next day. For the events leading up to the battle, see WL to John Jay, Mar. 10, 1781.
4. Letter not found.
5. Greene led approximately 4 to 5000 men, about 15 to 1600 of whom were Continental regulars. The British had about 2000 men.
6. The British lost 532 men, of whom 93 were killed during the battle and 413 died later of wounds received; the Americans, forced to retreat, lost 400 men and left considerable ordnance on the battlefield.
7. Neither British nor Americans were in condition to fight the next day.
8. Cornwallis on Mar. 18, 1781, led his men to Cross (Crop) Creek at the head of the Cape Fear River. They were unsuccessfully pursued by Greene, who abandoned the chase and led the main part of his army to South Carolina.
9. The French fleet had sailed to Chesapeake Bay, attempting to prevent Benedict Arnold's escape from Portsmouth while the British followed in pursuit. Both fleets sighted each other on Mar. 16. See WL to John Jay, Mar. 20, 1781.
10. The French fleet had the advantage, but did not persist.
11. Houston had urged WL to write to his Dutch acquaintance, possibly van der Capellen, to urge the United Provinces to oppose Great Britain. See William C. Houston to WL, Mar. 22, 1781, and refer to Burnett, *Letters* 6:1781–82. Livingston's response has not been found.

### From Jonas Ward

Troy Morris County March 28th: 1781

Sir

I make to your Excellency a Return of the Number of men That I have Enlisted, Agreeable to a Late Act of the Assembly for the purpos of Raising Men for the Defence of the frontears,<sup>1</sup> the Hull that I Can make a Return of is fifteen Men. I am Very Sorry that This is all that I can Return After so Long a Delay, But I have Taken all pains I possible

Could to Get the men But I Never found it so Difficult to Enlist men a Mong us as at This time.

The Reason of my not making This Return Before This is, that the Lieutenant.<sup>2</sup> That was appointed by the assembly Did not Excep of the appointment. Therefore there was not a nother appointed Till a Bout a month a go & I waited for a Return from him Which I Did not Get Before This Week and when I Got it he had Recrutued But one man, that the Ensign<sup>3</sup> and my Self has got what few there is Recrutued, we are in Some hopes of giting Some more When the Companyes Musters the first monday in april, But we have so poor Success that we are all most Diss[ ? ] the Great Difficulty is for the want of Some Bounty, if There had bin a small Bounty I Could have got four men Where I git one now, I Dont Think that our Coto of men will be had with but Some other way then by Volluntary Enlistment, it has Bin so Long Since the Militia has Recevd any pay for publick Services that They are afeard that it will bee the Case Still.

Pray send some Directions by the Horsman what we shall do as we wait your Excellencys Orders. I am Sir with Dew Respect your Very Humble Servant.

JONAS WARD

ALS, NN.

1. Ward was ordered to raise one of four companies for the defense of Essex County. The other captains were John Scudder, Robert Neal, and John Craig. Their combined quota was 259 men in all. See "An Act to raise by voluntary Enlistment, eight hundred and twenty Men, for the Defence of the Frontiers of this State" (*Acts* [Nov. 15, 1780–Jan. 9, 1781], 23–30).

2. Lt. Victor King.

3. Lemuel Milborn (?).

From Henry Brockholst Livingston

Bordeaux 1st: April 1781

My dear Sir,

I write to You again at a venture, much doubting whether any of my Letters reach You. Not one of yours, (notwithstanding the many I dare say You have written) have come to my hands.<sup>1</sup> By one from Dr. Rush of the 21st January I have the pleasure to find the family was well at that

time.<sup>2</sup> I answered the Doctor Yesterday, & put it under covered to You. It will go in a few days by a Vessel bound to Boston. This takes its passage at L'Orient<sup>3</sup> in one of the American Ships now there. You will learn little more by it than that I am still in the land of the living. You will perhaps be vexed at receiving a short Letter from me at three thousand miles distance, & tell me that You shall always take it for granted I am alive while You hear nothing to the contrary. I know You expect long letters from me but know not what to tell You to make them so. You already know more about this Country than I do, & if You did not, my remarks would not be worth communicating. As for News I am absolutely discouraged from writing You any thing more in this way. I have often sent You the Intelligence of the day, & have above a month after heard of my Letters being still in Europe. However as this one stands some chance of being in America soon I will tell You—the English, French, & Spanish Squadrons are at Sea. The first is under Darby & consists of twenty eight Ships of the line, besides frigates & fifty-gun-Ships. He has a very large number of victualling Ships with him & is most probably bound to Gibraltar. The Spanish fleet under Cordova is cruising off Cape St. Vincent to intercept these Succors. A battle between these two seems inevitable, & 'tis more than probable that before You read this You will have heard of a very warm one. If the French are near enough to join in the Action, it must be decisive.<sup>4</sup> The poor Dutch, who have been forced into the war, are already very great Sufferers by it. The loss of St. Eustatius is most severely felt in Holland.<sup>5</sup> The States General expect the same fate at the Cape of Good-hope, & have offered this Court a million Sterling to furnish them with 12 Ships of the line for the Protection of that & their East-India-Settlements, against which it is thought Governor Johnstone's force will be directed.<sup>6</sup> Russia has proposed her Mediation between England & Holland, & if the former does not come into the views of the Empress, it is more than probable she will have another Enemy on her back.<sup>7</sup> By a letter from Madrid I hear that Mr. Cumberland, (whom I have mentioned in former Letters) is on the point of leaving that City, after a very long & unsuccessful Negotiation. I am not sorry he is coming away—he has been very hurtful to us—& has retarded our Negotiations not a little. The arrival of Colonel J. Laurens in Europe has occasioned much speculation here. He is now at Paris.<sup>8</sup> Mr. Adams continues at Amsterdam. The losses the Dutch have met with, will certainly embarrass his

Negotiations for a Loan.<sup>9</sup> But I am running on to tell You what You know as well as myself. Let me request Your care of the Letter for Susan. If you have patience & Inclination You have my permission to read it. With my warmest wishes for Your & my dear Mother's health & Happiness I am Dear Sir Your dutiful Son & Humble Servant

HENRY BROCKHOLST LIVINGSTON

ALS, NN.

1. WL wrote a letter (not found) to Brockholst on Jan. 10, 1781. See Henry Brockholst Livingston to WL, Apr. 29, 1781.

2. Letter not found.

3. A French port on the Bay of Biscay.

4. The British squadron under Vice Adm. George Darby sailed from Spithead on Mar. 13, 1781, to reprovision Gibraltar. Yet while the Spanish fleet had been lying in wait, by the time the latter arrived, the former had sailed to Cádiz for provisions. The French promised, but failed to dispatch in time, six ships of the line in support of the Spanish blockade of Gibraltar. For the relationship of Gibraltar to the American Revolution see Henry Brockholst Livingston to WL, Oct. 12, 1780.

5. See William C. Houston to WL, Mar. 22, 1781.

6. The entrance of the Dutch into the war put England at a disadvantage in India. The Dutch island of Ceylon offered strategic control over both coasts of India while the Cape of Good Hope commanded the passageway to the east. Commodore George Johnstone's Cape expedition sailed under cover with Darby's force from England. Nine days later Admiral de Grasse's convoy to the West Indies set out from Brest. De Grasse was accompanied by a force of five ships of the line under Admiral de Suffren, whose real mission was to break from the convoy and sail to protect the Dutch cape. Suffren caught Johnstone on April 16 off the Cape Verde Islands, where an inconclusive battle was fought. Suffren then sailed on, reaching the Cape of Good Hope in July. When Johnstone arrived he found his forces inadequate for the reinforced garrison. He thus sent part of his force on to India while he, in accordance with earlier instructions, returned to England.

7. As early as 1779, Catherine II had made known her eagerness to mediate between the belligerents in Europe. In December 1780, after bringing the northern neutral countries into a League of Neutrality, the czarina made a formal proposal of mediation to the involved European powers. Britain accepted the offer and requested that Austria mediate. In addition, Britain offered to cede Minorca to Russia in exchange for mediation that would favor British interests. Spain at first preferred to rely on the direct negotiations with Britain through their representative, Cumberland. When these negotiations fell through in March 1781, Spain accepted Russian mediation. France, fearful because of the perilous military situation in America and the financial situation at home, assented to the mediation. In early 1781 Vergennes, the French foreign minister, accepted a policy of *uti possidetis*, by which a long-term truce would be negotiated, leaving each side in possession of its holdings as of the beginning of 1781. On Mar. 9, 1781, Vergennes sent instructions to the French minister in America, La Luzerne, to win from Congress acceptance of the mediation. He also sent directions to American representatives in Paris to subordinate themselves to the advice and control of the king. See William C. Houston to WL, Mar.

22, 1781. For an earlier report on the Cumberland negotiations see Henry Brockholst Livingston to WL, July 12, 1780.

8. In late 1780 Congress appointed John Laurens special envoy to France to help Franklin arrange for the loan of more money and supplies from that country (*JCC*, 18:1138, 1141, 1177, 1183–84, 1188, 1193, 1197–98, 1201).

9. In December 1780 Congress commissioned John Adams to negotiate a loan and treaty of amity with the United Provinces (*JCC*, 18:1203–17). See also Baron van der Capellen to WL, July [6] 16, 1779, 3:131–43.

# *The Livingston Family and the War*

## *April 2—August 31, 1781*

*On Sept. 4, 1780, Henry Brockbolst Livingston wrote to his brother William about their younger brother John Lawrence. Eighteen-year-old John was soon to embark on a career in the United States Navy aboard the Saratoga. Brockbolst, who had recently endured a harrowing sea voyage while en route to Spain, had heard that John was “on The Point of turning sailor.” He speculated that John would lead “a rugged Life” on the sea, but believed he would soon learn to “laugh at Storms—The height of the waves, the falling of Masts, the splitting of Sails, a broken rudder & leaky ship” would hold no terror for the young mariner. If John read Brockbolst’s letter, he may well have reflected on these words in mid-April 1781, when the Saratoga was separated during a violent storm from the fleet of merchant ships she was escorting. The Saratoga sank and John Lawrence suffered the same fate as had befallen another Livingston son, Philip French, who in*

*1768 had drowned in the Hackensack River.<sup>1</sup>*

*The realization that the Saratoga was lost came only gradually to Gov. William Livingston and his wife Susannah. On Aug. 21, 1781, Livingston wrote to his daughter Sarah Jay that it was so long since he had any news of the ship that he feared “that She is lost & that my poor John Lawrence is buried in the Ocean.” Understandably, Livingston blamed his “misery” on Great Britain.<sup>2</sup> The fact that there were no surviving witnesses to the ship’s fate caused William and Susannah to entertain hope that their son was still alive. In September of that year Livingston’s belief was bolstered when he heard that the Saratoga had been captured and its crew taken prisoner by the British. The governor immediately wrote to Brockbolst and his son-in-law John Jay asking them to institute inquiries in Europe to ascertain if John Lawrence was in England. This and future inquiries*

proved fruitless. Until his death in 1790 Livingston continued to receive and half-believe reports that John Lawrence was alive, even taking comfort in the far-fetched story of Charles Blinckborn, a seaman from Maryland. In January 1790 Blinckborn told the governor that in September 1785 he had been seized from his ship and imprisoned in Algiers. While a prisoner, he "met with a young Man who appeared to him about 25 years of age . . . who told him . . . his name was John Livingston. . . ." After making inquiries, Livingston sadly concluded that he ought "never expect to see . . . my Son, in this World."<sup>4</sup>

Livingston feared the loss of another son in the spring of 1782, when Brockbolst was taken prisoner. Brockbolst, who was serving as secretary to John Jay, had quarreled with both his sister Sarah and the ambassador. Sarah was so distressed by the friction between her husband and her brother that on June 24, 1781, she wrote a letter to her father rationalizing her own behavior and that of her husband toward Brockbolst. The letter, sent to Sarah's sister Catharine, was to be delivered to the governor only in the event that Brockbolst's "misrepresentations to his Father [about the Jays] should be such as . . . to render it absolutely necessary." Brockbolst was discreet and the letter was never delivered.<sup>5</sup>

Conditions between the Jays and Brockbolst had grown so tense by the winter of 1781–1782 that Brockbolst decided to return home. In April 1782, as his vessel neared the American coast, it was stopped by a Royal Navy vessel and Brockbolst was taken prisoner. He was carried to New York City and there incarcerated in the Provost Gaol.

Much to Brockbolst's surprise, his cell-mate in the Provost was an old friend and relative by marriage, John Jay's brother Sir James Jay. Suspected by both the British and Americans, Sir James was not trusted fully by either. Prior to Brockbolst's arrival, Sir James had been a house guest of Susannah Livingston at Liberty Hall in Elizabethtown. In March 1782 Jay asked the British to stage his capture while he was still residing in Elizabethtown, so he could talk with British Gov. Gen. James Robertson and Loyalist William Smith. When Brockbolst arrived in New York City, the British, who apparently believed Sir James might be able to extract some useful information from the prisoner, placed him in the same cell. Brockbolst, pleased to see a familiar face and even more pleased to have a sympathetic audience to whom to complain about his brother-in-law, told Sir James that John was "formal and unfashionable, discontented, and in ill Health." Brockbolst also told Sir James that Jay's mission had been unsuccessful, and that "the Spaniards but lately talked of treating with him." Sir James promptly passed along Brockbolst's insights to the British.<sup>6</sup>

Brockbolst was held until May 7, 1782, when the new British military commander in America, Sir Guy Carleton, convinced that Brockbolst did not carry any significant information, freed him on parole. After rejoining his family, Brockbolst decided to prepare for a career and like his father before him began the study of law.

It was imperative that Brockbolst have a means to earn his own livelihood, since he could not expect to inherit a fortune from his father's estate. William Livings-

ton's wealth had shrunk during the war because of inflation. His Royalton estate in New York (now Vermont) was also threatened because of the efforts of settlers in the region to establish a state separate from New York. Livingston bitterly complained of the anticipated loss of Royalton, with "the robbers of Vermont seizing on the best part of my Estate." Although promised compensatory land, Livingston feared that it would not be of comparable worth to that land he had previously owned.

In addition to monetary distress, so serious that Livingston was hard pressed to pay Brockholst's boarding charges while he studied law, was the continued personal fear of kidnap or assassination attempts by the British. In the spring of 1781 Livingston learned that the British planned to capture him, George Washington, George Clinton, and Joseph Reed. The attempt did not materialize but the threats continued. In the summer of 1781 the disgruntled Loyalist James Moody, furious at Livingston's offer of a reward for his capture, offered a substantial reward for Livingston's capture. In Moody's opinion, Livingston was guilty "of many atrocious

crimes and offences against God and the King. . . ." Moody wanted Livingston alive so he could be tried and executed. He was willing, however, to accept the governor's "EARS and NOSE, which are too well known, and too remarkable to be mistaken," if Livingston's entire body could not be secured."<sup>8</sup>

The governor was too well aware of his own physical shortcomings to be offended by Moody's candor. He could only wait, with all Americans, for a speedy conclusion to the war that had exacted such a costly toll from his family.

1. Refer to Henry Brockholst Livingston to William Livingston, Jr., Sept. 4, 1780, MIIi, vol. 2.

2. See William Livingston to Sarah Jay, Aug. 21, 1781.

3. See William Livingston to John Jay, Jan. 18, 1790, NNC.

4. See William Livingston to John Jay, Jan. 28, 1790, NNC.

5. See Sarah Jay to William Livingston, June 24, 1781.

6. Refer to Smith, *Historical Memoirs*, 2:488, 503-4.

7. See William Livingston to Catharine Lawrence, Apr. 21, 1781.

8. See *Royal Gazette*, Aug. 25, 1781.

## From Robert Hoops

Belvedere 2d April 1781

Dear Sir,

A certain Ian Lowry belonging to Bartons Regiment of Royal Refugees came into this County with the Infamous Moody as one of his party;<sup>1</sup> I fortunately had the pleasure of taking him secretly passing my House and bound him over to appear at a Court of Quarter Sessions to be held for this County, and was by that Court bound to appear at the next Oyer and Terminer to receive his Tryal<sup>2</sup> with such restrictions as I should think proper untill then notwithstanding the Civil Law taking his Crime into consideration Lt. Col. William Bond of the Militia of this County for what reasons I know not, like a true Partizan surprised the Lad in his bed and with many threats conveyed him to Easton and by his orders was confined in the Dungeon, untill I had the pleasure of Seeing the Commissary of Prisoners and informed him the Circumstances he was then by him admitted to bail, the noble Col. it seems is much exasperated at his enlargement and am informed intends profering a Petition to Your Excellency, seting forth that Lowry is a Dangerous Person and ought not to continue in this County, I look upon it as I was vested with power by the Court to take notice of Lowrys Conduct an application by any of the Inhabitants informing me of any misconduct of his, I should most certainly have taken notice of it and acted accordingly and cannot help think Bonds Conduct unwarrantable and the Effects of a Drunken frolick at which time his Imaginary importance rose to so great a pitch that he declared he would let the Civil know the Military was above them.

I must beg your Excellencies pardon for troubling you so much on this Subject but thought it my Duty least Bond might misrepresent the

Matter and am with great Respect Your Excellencies Most obedient  
Humble Servant

ROBT. HOOPS

ALS, NN.

1. Moody was in the area attempting to intercept Washington's dispatches (Moody's *Narrative*, 34–35). For operations of the Queen's Rangers in March 1781 see Simcoe, *Operations of the Queen's Rangers*, 46–52. For the most recent letter about Moody see WL to George Washington, Aug. 21, 1780.

2. Trial records not found.

### From Peter Augustus Jay

[April 5, 1781]

My Dear Grand Pa,

You are very good to your little Peter, to write to him so often & send him presents.<sup>1</sup> P. guesses Grand Papa will send him a Colt, from what he says about a present; it cannot be a new book, because I am not out of my primmer yet. I have got one Colt already that Grand-mama gave me, & when It is fit to ride, I intend to go to Camp, to see General Washington, & put Col. Tilghman in mind of the light-infantry cap & sword he promised me.<sup>2</sup> I am dear Grand Pa Your dutiful Son,

PETER AUGUSTUS JAY

LS, NN.

1. See WL to Peter Augustus Jay, Mar. 13, 1781.

2. Tench Tilghman, aide-de-camp to George Washington.

### To Samuel Huntington

Trenton 5th April 1781

8 o Clock P.M.

Sir

I this moment received a Letter from General Forman,<sup>1</sup> accompanied with one for your Excellency which I presume, is upon the same Subject with mine. He informs me that he has Intelligence from New York that a large imbarcation is preparing, General Clinton to command in

person,—their destination for the Delaware, & that Clinton is to take post at New Castle.<sup>2</sup> He adds that he has seldom been disappointed in his Intelligence thro' the channel by which he has received the present.

I know that General Forman's intelligence has been generally found true,—& I thought this account of such importance as immediately to apply to Colonel Neilson for an express which he readily furnished. With the greatest esteem I have the honour to be Your Excellency's most obedient & very humble Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. Moore Furman. Letter not found.

2. No major British troop movements out of New York occurred in early April 1781. On Mar. 13, 1781, Gen. William Phillips sailed from New York with 2500 British troops to reinforce Brig. Gen. Benedict Arnold's force of 1600 Loyalists in Virginia since December 1780. See WL to John Jay, Mar. 10, 1781. Phillips arrived in Virginia on March 26 and laid waste the country (Smith, *Historical Memoirs*, 2:391).

### To Henry Van Dycke

Trenton 8 April 1781

Sir

As Capt. Freeman's Company of the State Regiment posted at Woodbridge, still wants so many of its Compliment, as to render those who have inlisted a very inadequate guard for that Station, the Inhabitants of that part of the Country have applied to me in the most urgent manner<sup>1</sup> to order a guard of Militia in aid of the State Troops until they shall be in a better posture of defence by farther Enlistments, which they soon expect to be.<sup>2</sup> They farther represent that the Militia of Middlesex are almost continually out on duty, & therefore beg the Guard may be ordered from another County. I am fully sensible of the hardships they complain of; and the reasons for calling the guard from another County rather than from the County on the lines, are obvious. And tho' I am exceedingly loth to burden the County of Somerset (which has always exerted itself with alacrity) yet as Morris has just furnished a guard for Newark, & I have no prospect that one can be procured from Hunterdon, so as to answer the exigency of the affair, I find myself necessitated, tho' with reluctance to call twenty five men from your Regiment,

for that purpose. You will therefore call so many Classes as shall produce that number of men & detach them properly officered & accoutred to Woodbridge to be a guard for the defence of that part of the Country<sup>3</sup> & to be under the command of Capt. Matthew Freeman now on that Station, & to continue in Service for one month unless sooner dismissed. I am Sir your humble Servant<sup>4</sup>

WIL: LIVINGSTON

ALS, NjR.

1. Petition not found.
2. For the difficulties in raising men and the assembly act by which recruitments were authorized see Jonas Ward to WL, Mar. 28, 1781, n. 1.
3. The British, aware that troops had been drawn from New Jersey, New York, and Pennsylvania to bolster the Marquis de Lafayette's campaign in Virginia, frequently raided Essex and Monmouth counties (Smith, *Historical Memoirs*, 2:396; see George Washington to WL, Mar. 1, 1781).
4. On Apr. 13, 1781, Van Dycke (or Van Dike) returned WL's letter to him with the following message: "Sir agreabel to the above orders to me you [ . . . ] order one Class out of Capt. [ . . . ] Company to Rendezvous at Raretan Landing Thursday 17 Instant at 12 OClock under the Command of Lieutenant Hogland. I am Sir yr H. Van Dike Col Lieutenant Col."

### From George Washington

Head Quarters New Windsor 8th: April 1781

Dear Sir

Intelligence has been sent me by a Gentleman living near the enemy's lines, and who has an opportunity of knowing what passes among them, that four parties had been sent out with orders to *take* or *assassinate* Your Excellency—Governor Clinton—Me and a fourth person, name not known.<sup>1</sup>

I cannot say that I am under apprehension on account of the latter, but I have no doubt they would execute the former could they find an opportunity. I shall take such precautions on the occasion as appear to me necessary, and I have thought it proper to advise your Excellency of what has come to my knowledge, that you may do the same.

That they may fail of success, if they have any such plan in con-

temptation, is the earnest wish of Dear Sir your most obedient & very humble Servant

GO. WASHINGTON

ALS, NN.

1. For an earlier plot to kidnap WL see John Dennis to WL, Dec. 26, 1780.

### To Josiah Foster

Trenton 10 April 1781

Sir

When I was applied to, by you in favour of Robert Skekit an Indian in the Troope of the united States I immediately writ to General Washington on the Subject.<sup>1</sup> The measure I took, more for the sake of convincing the Indians of my readiness to do all in my power to procure the young man's discharge, than from any prospect I had of succeeding in the application, as I know the General's great disinclination to the countenancing that practice.

By reason of his going to Rhode Island soon after, I never had an answer from him till yesterday.<sup>2</sup> The Substance of that is, "that although the discharging a single man from the Service, is a very inconsiderable diminution of our force, yet when the innumerable applications upon this Subject, are taken into consideration, the unavoidable decrease of our Army, if discharges are granted, the amazing difficulty of procuring men for the war, & the heavy expence attending the recruiting service, it cannot certainly, says he, be considered, as a hardship to retain those in Service who are fairly inlisted, & with a large bounty, unless able bodied Substitutes are procured in their room. Under this condition he will consent to the dismissal of Robert Skekit otherwise it would be opening a door of uneasiness to others, & doing an essential injury to the public."

When opportunity offers, I hope Sir you will acquaint the Indians with these his Excellencys reasons, & I doubt not they will be convinced of their solidity, & if the presence of Skekit is so necessary

among his tribe, that they will endeavor to procure his exchange by providing a substitute during the war.<sup>3</sup> I am Sir Your humble Servant

WIL. LIVINGSTON

ALS, Nj.

1. See WL to George Washington, Mar. 1, 1781.

2. On Mar. 2, 1781, Washington left headquarters at New Windsor for Newport to confer with the French general and admiral on the operations of the ensuing joint campaign in the south. Washington arrived in Newport on Mar. 6, 1781, and remained until Mar. 13, 1781. He returned to headquarters at New Windsor on Mar. 20, 1781, and subsequently wrote to WL. Refer to George Washington to WL, Mar. 23, 1781 (NN).

3. It is unknown whether Skikkit was discharged in 1781. In 1796 Skikkit was still attempting to collect the salary due him for his army service, which amounted to £5.13.10.

### To Joseph Reed

Trenton 11th April 1781

Sir

I was told a few days ago by a man who had made his escape from New York after having been thirteen months a Prisoner with the Enemy, that I might depend upon it there were four parties out, to *take* or *assassinate* General Washington, your Excellency, me, & a fourth person whose name he did not hear, or had forgot. As I frequently receive Accounts of this kind of Expedition against myself, which sometimes prove true, & sometimes otherwise, I paid no great attention to the man's report. But I yesterday received a Letter from General Washington dated the 8th. instant, in which there is this paragraph, "Intelligence has been sent me by a Gentleman living near the Enemy's lines, and who has an opportunity of knowing what passes among them, that four parties had been sent out with order to *take* or *assassinate* your Excellency, Governor Clinton, me, and a fourth person, name not known."<sup>1</sup>

It seems therefore highly probable that the Gentleman whose name my Informant did not remember was Governor Clinton; & the Gentleman whose name was not transmitted to General Washington, is your Excellency.

This confirmation of my Intelligence gives the matter so serious an aspect that I think it my duty to advise your Excellency of what has

come to my knowledge that you may take such precautions on the occasion as appear to you necessary. I have the honour to be with the greatest Esteem Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, NHi.

1. For Washington's reaction to the threat see George Washington to WL, Apr. 8, 1781.

### From Robert Morris

*Philadelphia, April 12, 1781.* Thanks WL for letter dated February 23, 1781,<sup>1</sup> congratulating Morris on his appointment as superintendent of finance. Before accepting the post, Morris asked Congress for authority to dismiss personnel from the Office of Finance.<sup>2</sup> Congress refused and Morris is determined not to accept the appointment until he is given this power. Tells WL to consult his daughter Catharine for other political news.<sup>3</sup>

ALS, NN.

1. See WL to Robert Morris, Feb. 23, 1781.
2. In a Mar. 13, 1781, letter to the Continental Congress, Morris had listed several conditions before accepting the office of superintendent of finance. He accepted the office on May 14, 1781 (*JCC*, 19:290–91, 337–38; 20:449, 455, 499).
3. Catharine Livingston was the Morrises' house guest.

### From Caesar Rodney

Dover April 14th 1781.

Sir

Your Excellency will receive herewith inclosed the Laws of this State passed at the last setting of the General Assembly,<sup>1</sup> and beg leave to recommend to your more immediate attention the Act for the Protection of the Trade of this State on the River and Bay of Delaware.<sup>2</sup> I am Sir, with a pleasing remembrance of the many happy Hours we have spent together,<sup>3</sup> Your Excellency's Most Obedient Humble Servant

CAESAR RODNEY

ALS, NN.

1. The Delaware General Assembly met at Dover, Oct. 20, 1780, through May 28, 1781.

2. The Delaware Assembly was concerned about the problems of armed boats and cruisers from British New York attacking trade vessels in the Delaware Bay. It voted to empower contractors with the right to arm schooners with cannon and to assign forty men to each to protect the bay.

3. WL and Rodney became friends while both were serving in the Continental Congress in 1776. See WL to Caesar Rodney, Feb. 24, 1777, 1:251–52.

## To George Washington

Trenton 14th. April 1781

Dear Sir

I have to acknowledge your Excellency's favour of the 8th instant, & thank you for the intelligence it contains.<sup>1</sup> The account is so similar to that which I had by a man direct from New York, & who had it from a person in their confidence, that I cannot doubt the truth. The only variation is, that of the four persons intended to be taken or assassinated, the three which he remembred, were your Excellency, President Reed & me. Governor Clinton therefore must be the fourth who was not mentioned to him; & President Reed the fourth who was not mentioned to your Excellency. With the greatest esteem I have the honour to be Dear Sir your Excellency's most obedient and very humble servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. See George Washington to WL, Apr. 8, 1781 and WL to Joseph Reed, Apr. 11, 1781.

## From William C. Houston

Philadelphia 17 April 1781

Sir

This Morning brought us a Letter from General Greene.<sup>1</sup> It is dated 30 ultimo from Col. Ramsey's on Deep-River about 45 Miles N.W. of Cross-Creek.<sup>2</sup> Lord Cornwallis was still retiring towards that Place in no small Distress and General Greene following in Distress full as great.

It appears from Circumstances that his Lordship feels very deeply the Consequences of the Action of the 15 ultimo near Guildford Court-house.<sup>3</sup> Had Gen. Greene an efficient Force, Supplies and Money, he would ruin him effectually, but he cannot act with vigour for want of these Essentials. I do not imagine any Action will happen in that Quarter for some Time. Lord Cornwallis can establish himself at Cross-Creek, and if he should even fail in this he can at Wilmington about 80 Miles further S.E. I am afraid the next News will be that General Greene is either activating before the Enemy or retiring for want of Supplies. I am, with great Respect your Excellency's obedient Servant

W. HOUSTON

ALS, NN.

1. Letter not found.
2. Cornwallis, seeking both Loyalist soldiers and provisions at Cross Creek, a Scottish settlement at the head of the Cape Fear River, found neither and was forced to move on to Wilmington, where he arrived on Apr. 7. He remained there until Apr. 25, 1781.
3. For a description of the March 15 battle of Guilford Court House see William C. Houston to WL, Mar. 28, 1781.

To John Stevens, Sr.

Trenton 20th April 1781

Sir

Though it seemed to be the general opinion of the Council at Princeton that it was most prudent for this State not to alter the exchange of the continental currency<sup>1</sup> till Pennsylvania should take the lead; in consequence of which I have hitherto waited for that event; I am now so convinced of the necessity of doing it without farther delay, that I should think myself deficient in my duty to the State to postpone taking the advice of Council upon it, till the meeting of the Assembly.<sup>2</sup> Pennsylvania I conceive ought to be no example to us, as their conduct in this matter is generally reprobated; & perhaps not reconcileable to the true intent of those who conferred that authority. It is thought by numbers of the most judicious and disinterested part of the Community, that the stationary condition of the legal exchange while the popular or mercantile is rapidly advancing forward must infallibly ruin the *State*—or *lawful* money from the absolute impossibility of bringing it back

again to the value from which it will depreciate. That whatever reason induced the fixing at 75 in November last now requires it to be fixed at above 100, & that it is a mistaken notion that it will take money out of the State, because it is notorious that although the legal exchange in Philadelphia is 75, no man deals at less than 140.

I do not throw out these hints to bias the Judgment of the privy Council, because I shall as readily acquiesce in their advice one way, as the other; but to explain my motives for giving them the trouble of meeting upon that subject before the meeting of the Legislature. I shall therefore be glad of your Attendance upon that business at this place on Saturday the 28th instant & am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NjHi.

1. For the most recent correspondence concerning finances see Samuel Huntington to WL, Mar. 23, 1781.

2. On Nov. 17, 1780, the New Jersey Legislature passed "An Act to amend an Act, intituled 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," which gave WL and the Privy Council the power to set new exchange rates when warranted. See New Jersey's Representation to the Continental Congress, Nov. 20, 1780, for additional information on this act.

### To Catharine Lawrence

Trenton 21st April 1781

Dear Sister

I have received your Letter dated this month but without day.<sup>1</sup> I am sorry that it did not suit Brother Philip's executors to pay you my draft upon them.<sup>2</sup> I have not received any Letter fom Mr. Ten Brook as you seem to intimate I might expect.<sup>3</sup> I find I have made a great mistake in leading you to expect that you was to receive from me the sum I mentioned in New York money, if by New York money, you should understand a dollar at 8/ of the former currency. The Man indeed paid it for that & Mrs. Livingston was obliged to receive it so by the tender Law. But he made no allowance for the depreciation, & indeed that knave's advantage was the sole motive of his paying it, it having been due above twenty years, & but for that opportunity of cheating us, he would never

have paid us at all.<sup>4</sup> So that I [ . . . ] to pay you the value of what I received for you, according to the depreciation at the time that I received it, with the interest upon it from that day. I think it was about two years ago, but I can get the precise time from Brother Peter;<sup>5</sup> & I shall endeavor to remit you part or the whole of it, next month.

I am sensibly affected by your saying that you are moneyless, which indeed by the depreciation of my personal Estate, & the robbers of Vermont seizing on the best part of my Estate, is like soon to be my own case.<sup>6</sup> If the war continues much longer, almost the whole family will be reduced to straights & difficulties, to which we have never been used, & it has often filled me with melancholy reflections that I have so large a family [so?] indifferently provided for, & which I shall be obliged to leave so much less than they once had reason to [expect?]. But I hope we shall always have food & raiment, & therewith we are commanded to *be content*. And I trust that we are *laying up treasures in heaven, where neither moth nor rust doth corrupt, nor thieves break thro' & steal;*<sup>7</sup> nor British Plunderers will disturb our Tranquillity. I am your affectionate Brother

WIL: LIVINGSTON

ALS, MHi.

1. Letter not found.

2. Philip Livingston died at York, Pa., on June 12, 1778. His will, recorded in Liber 21, p. 23, of the New Jersey Archives, was proved on Mar. 20, 1779, the executors being his wife Christina Livingston, Abraham Ten Broeck, Walter Livingston, Thomas Jones, and two of his sons, Abraham Livingston and Henry Livingston (*N.J. Abstract of Wills*, NJA, 1771–80, 5:314).

3. Col. Abraham Ten Broeck. Ten Broeck was the brother of Christina Livingston and mayor of Albany, N.Y. He had been a party with the Livingstons to the legal disputes over the New Hampshire lands.

4. This may possibly relate to the Canajoharie Patent in New York that Philip Livingston, Sr., had left to his children. The Livingston family had been involved in a title dispute with George Klock for over twenty years. It is probable that Christina Livingston had relinquished her claim to these lands for a cash settlement to Klock.

5. Peter Van Brugh Livingston.

6. WL was one of the grantees of the 30,000-acre township of Royalton (now in central Vermont, near Woodstock). WL owned approximately 6,000 acres but in 1775 sold off 774 acres. At the beginning of the revolution, residents of the area that is currently Vermont disputed the holdings of New Yorkers in the area, although they were still part of the sovereign state of New York. There was great anxiety on the part of grantees that their grants would be annulled, particularly after 1777 when residents petitioned Congress for statehood (*JCC*, 8:491, 497, 507, 509–13). John Witherspoon was trying to negotiate for

WL a settlement with Vermont leaders Matthew Lyon, Meshech Weare, and Thomas Chittenden. Some of his correspondence with them was intercepted by the British and published in Rivington's *Royal Gazette* on the same day that this letter was written (*Royal Gazette*, Apr. 21, 1781). For background on the Vermont issue, see WL to John Morin Scott, Mar. 6, 1780, 3:315–16.

7. Matthew 6:20

## To Caesar Rodney

Trenton 24th April 1781

Sir

I have the honour of your Favour of the 14th instant; and am much obliged to you for those Laws of your State which it inclosed.<sup>1</sup> The Act for the protection of the trade of your State on the River & Bay of Delaware, will certainly have *my more immediate attention*, as it may considerably affect New Jersey.<sup>2</sup> You have taken us by the right handle, in making it our interest to protect your coast as well as our own. I hope our Legislature will not hesitate to bring our Citizens within the exemption of Salvage provisionally specified by your Law for us & Pennsylvania. The expence is trifling, & the Utility important. Indeed, abstracted from every other consideration, I think we owe it to our three most southern Counties, which are as much exposed to the armed Vessels of the Enemy, as is your State: And I have been not a little mortified that those dirty Piccaroons<sup>3</sup> should hitherto have defied with impunity all the States washed by that River; and in mimickry of the Tyrant their master, who blasphemously claims the Sovereignty of the Ocean, so long, have rode triumphant on the Delaware.

If you, my dear Sir, entertain a *pleasing remembrance of the many happy hours we have spent together*, I can assure you that I have not forgotten them; and among the many other reasons I have for wishing the British Plunderers *to the place from whence they came*, I rank the one of being thereby enabled to see some of my old acquaintances, & particularly of having an opportunity by a personal interview to shew you with how much attachment I am Your Excellency's most obedient humble Servant

WIL: LIVINGSTON

ALS, MH. George Ryder, *Letters to and from Caesar Rodney, 1756–1784* (Phila., 1933), 406–7.

1. Rodney had transmitted the Pennsylvania acts to WL on that date. See Caesar Rodney to WL, Apr. 14, 1781.

2. The Delaware River area was one of two major maritime commercial centers in New Jersey. On June 27, 1781, the New Jersey Legislature passed “An Act authorizing the Governor to grant Commissions for Guard-Boats and Coasting Vessels” (*Acts* [Oct. 24, 1780–June 28, 1781], 113–14).

3. piccaroons: rogues, privateers.

### “Scipio”

[April 25, 1781]

Mr. COLLINS,

IT may be recollected that in my address to the Legislature, published in your Gazette, No. 149, speaking of the new emitted money, I observed, that upon the principles which it was emitted, nothing but the unaccountable caprice which governs human nature in certain situations, could depreciate it: Little did I then think it *could* be neglected by its very guardians.<sup>1</sup>

I then presumed that the Legislature would see the fatal tendency of coupling it with the old continental, and repeal the *forty for one* clause: This they did, and put it perhaps on as good a footing as possible, by authorizing a competent body to declare the rate of exchange as often as any alteration in it should happen.<sup>2</sup> Did not his alteration in the law and the consequent declaration of the *legal* exchange making it equal to the *real*, give universal satisfaction? And did not the money then circulate with greater freedom than it has ever done either before or since? Why is it then that the same spirit is not kept up? Why is not the legal exchange *kept* equal to the real?<sup>3</sup> Is it because the state of Pennsylvania have not altered the legal exchange there? And what have we to do with Pennsylvania? Is not our money our own? Will they *redeem* it for us? *and redeemed it must be*. Will they make good to the people of this state the loss they suffer by receiving it in a depreciated state, or holding it in their hands while depreciating? If not, for justice sake, let us look to ourselves, let us rouse from this lethargy, and make our money what it ought to be, by keeping up the exchange equal to gold and silver.

If the Executive of the state of Pennsylvania think proper to depreciate *their* money, by keeping it tacked to continental at half the real exchange—if they think proper to cheat their honest citizens, by putting

it in the power of knaves to pay their debts with half the value, what is all that to us? Let us not follow so weak, so wicked an example—we are past the age of infancy—our interest demands it of us—let us *think* and *act* for ourselves.

*N.J. Gazette*, Apr. 25, 1781.

1. This letter is the third of a series of “Scipio” pieces on the currency crisis, the first two having been published in the *N.J. Gazette* on Oct. 25 and Nov. 1, 1780. The letter was identified as WL’s by Theodore Sedgwick (Sedgwick, *Life of WL*, 248).

2. See WL to the Legislature, Oct. 26, 1780.

3. For recent correspondence concerning the exchange rate see WL to John Stevens, Sr., Apr. 20, 1781.

## Proclamation

[Trenton, April 28, 1781]

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 by a certain Act of the Legislature of this state, intituled, *An Act to amend an Act, intituled, 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*, passed at Trenton the seventeenth day of November last, it is enacted, that it shall and may be lawful for the Governor and Privy Council, immediately after the passing the said act, and thereafter, from time to time, as often as the same may be thought necessary, to ascertain and declare the general current rate of exchange between continental currency and specie, as by the said act may more fully appear.<sup>1</sup>

I have therefore thought fit, by and with the advice of the Honourable the Privy Council of this state, to issue this proclamation, to declare and make known to the citizens of this state, that the said Governor and Privy Council have, on the day of the date hereof, ascertained and declared, and do hereby ascertain and declare the present exchange

between continental currency and specie to be ONE HUNDRED and FIFTY for ONE.

Given under my hand and seal at arms, at Trenton, the twenty-eighth day of April, in the year of our Lord one thousand seven hundred and eighty-one, and in the fifth year of the Independence of the United States of America.

WIL. LIVINGSTON

By His Excellency's command,

BOWES REED

GOD SAVE THE PEOPLE

*N.J. Gazette*, May 2, 1781.

1. By the terms of the act, the first exchange rate in November 1780 had been set at seventy-five to one (*NJA* [Privy Council], 185, 199).

### From Henry Brockholst Livingston

Madrid 29th April 1781

My dear Sir,

My last to You was from Bordeaux,<sup>1</sup> which place I left shortly after, & arrived here the day before Yesterday. On my arrival Your Favor of January 10th was delivered to me.<sup>2</sup> It gave me the greater pleasure as it was the first of yours which had reached me since my departure from America. Indeed considering the Importance & multiplicity of the business with which You must be constantly surrounded I feel myself much indebted for this mark of your attention, and am the less surprised at your long silence, than flattered by your having devoted some of your leisure moments to writing me a long letter. Accept of my thanks for Your attention to my September Packet.<sup>3</sup> You were perfectly right in withholding the Inclosure You Mention— & am only sorry you should have had such good Reasons for it. I could wish for the sake of [humanity] to persuade myself that Your Suspicions on this occasion were ill founded. But Facts will always speak for themselves, & when contrasted with Professions must always receive the greater weight. My opinion of the Gentleman in question was certainly high. I thought well of his Abilities, respected his profession, & had no doubt of his

Integrity & Patriotism. These were my reasons for solliciting his correspondence, & writing to him with perhaps too much confidence & freedom. But favorable as his character stood with me, I thank You for the caution You have given me; & shall not fail to profit by it. *Nimiumne crede colori* is no bad maxim, & who knows but the Poet meant it should be applied to coats as well as to a pretty woman's face. For Priests, in Virgil's days as well as in our own, were certainly distinguished by particular[ly] colored garments.<sup>4</sup>

I much regret the Expence my Packets have put You to. [It was?] a mistaken supposition, that Letters to You went free of Postage on the Continent, made me take the liberty to burthen You with the Inclosures for my friends. I am very glad You have undeceived me in this respect & shall in future only request Your care of those which may be immediately for the Family.

The friendly advice You give me throughout your Letter is too good not to merit my thanks & Attention. If my Letters have been [hitherto?] penned with too much Liberty, it shall be my care to observe more caution in future—& I trust that my circumspection will be such as to leave You no room to repeat Your Counsel in this respect.<sup>5</sup>

The Spirit in which Your Letter to me, as well as the one to Mr. Jay is written, has added not a little to ours. However Industrious our Enemies may be to persuade us of the desperation of our cause, they cannot suppose we shall give much Ear to their Representations, while contradicted by Persons so well informed & so unaccustomed to deceive as you are. Parts of Your Letters have been sent to the Prime Minister, & by his Order inserted in the Spanish Gazette. They have dispelled some unfavorable impressions which People too lazy to think & to combine circumstances (and such Persons are to be met with in every country) had imbibed of our Situation, & have been of real Service to us in more ways than one.

If any of my Letters since December last have reached America, You will have found that I have been absent from Madrid near five Months, the greater part of which time I passed in France. On my Return I met with Mr. Cumberland at Bayonne. He was on his way to England & had his family with him. I think I have mentioned this Gentleman to You before.<sup>6</sup> He has wasted near a twelvemonth in very fruitless Negotiations at this Court. His departure is certainly a happy omen for us. It is a proof that this king is determined not to abandon the Interests of his family.<sup>7</sup> His Majesty is closely attached to France, is a warm friend

of America, & has besides strong personal Resentments against the present King of England & these there is no danger of his losing while he remembers the Insults he received from him while King of Naples.<sup>8</sup> The Prime Minister as well as his Master has the Interest of our Country at heart, & if one may be allowed to judge of the dispositions of the People at large after travelling above a thousand miles thro' the Kingdom I have no doubt that the great body of the Spaniards wish us well. Of the disposition of the other European Powers you are a better Judge than myself. It is no doubt the Interest of all of them to diminish the Power of Britain of which they have had but too much Reason to be Jealous. While this be the case we have the best reason to hope that all their operations must one way or other work in our favor. Portugal alone seems attached to England & she is overawed by France & Spain. So that whatever her wishes may be we have nothing to fear from that quarter. Since the death of the Queen-Mother she has been more cautious of giving Spain offence than before; for the attachment of this King to his Sister was one principal Reason of his winking so long at the Partiality shewn by this Power to England.<sup>9</sup>

By some intercepted Letters on board an English Packet it appears that the Ministry in January entertained very sanguine Expectations of the Subjugation of America.<sup>10</sup> They have since received a very large Budget of unfavorable Intelligence from the East-Indies.<sup>11</sup> This added to the brilliant Affair of Morgan<sup>12</sup> will probably give the English Secretary different Ideas, & convince his Lordship that the Reduction of that Country is as remote as ever. Cornwallis' Success in Carolina may keep their Spirits afloat for a while. But they will no doubt find as before some difference between marching thro' an unpopulated Country, & keeping in subjection three million of People determined to be free. By the same intercepted Papers, which w[ill] doubtless be published in your Gazettes, we ascertain the Price already paid Arnold for his treachery.<sup>13</sup>

We go next week to Aranjuez,—a Royal Country-Seat near thirty miles from Madrid—& shall stay there the months of May & June. The King & Court are already gone. From thence You shall hear from me again. In the mean while present my Love to Mamma & the Family. And be assured Yourself of the Regard & Esteem with which I am dear Sir, Your Affectionate friend & very dutiful Son

HARRY BROCKHOLST LIVINGSTON

ALS, NN.

1. See Henry Brockholst Livingston to WL, Apr. 1, 1781.
2. Letter not found.
3. The packet was sent on Sept. 10, 1780, along with a letter to WL that has not been found. Both are referred to in Henry Brockholst Livingston to WL, Oct. 12, 1780, which additionally includes a list of addresses for the September 10 packet. Refer to Henry Brockholst Livingston to WL, Oct. 12, 1780 (NN).
4. *nimum ne crede colori*: trust not overmuch to color. Spoken by the sheperd Corydon about fair Alexis, for whom he burned in Virgil's Eclogue II (Virgil's *Works* [Modern Library edition, 1934], 268).
5. The Spanish government frequently tampered with the mail of the Jay mission. See Henry Brockholst Livingston to John Jay, July 12, 1780.
6. See Henry Brockholst Livingston to WL, Apr. 1, 1781.
7. Charles III was a Bourbon, the great grandson of Louis XIV.
8. In 1742, during the War of the Austrian Succession, in which England fought against Spain, a British naval squadron appeared off Naples. They threatened to bombard the city if Charles III did not immediately restrain his troops from acting in conjunction with those of Spain in Tuscany. Charles was forced to comply, but the incident negatively influenced his attitude toward Great Britain when he succeeded to the Spanish throne in 1759.
9. Mariana Vitória, the sister of Charles III, was the queen of Joseph I of Portugal, who reigned from 1750 until his death in 1777. Their daughter Maria I and her husband Pedro then ascended the throne. The queen mother, Mariana Vitória, died in January 1781.
10. The English packet was captured by a French vessel that carried its letters to France. Benjamin Franklin sent the intercepted letters on to John Jay for his perusal, along with a letter to Congress dated Mar. 12, 1781, and requested Jay forward both to the Continental Congress. Jay's letter to Congress, containing the contents of the captured letters, was read in Congress on July 16, 1781. Franklin's letter to Congress was read on Mar. 28, 1781. A copy of his letter dated May 3, 1781, and containing the contents of the intercepted letters was read by Congress on Sept. 24, 1781 (*JCC*, 20:549, 750–51; 21:996). Refer to Benjamin Franklin to Congress, Mar. 12, 1781, Benjamin Franklin to John Jay, Apr. 12, 1781, and John Jay to the President of Congress, Apr. 25, 1781 (Wharton, *Revolutionary Diplomatic Correspondence*, 4:281–89, 357–59, 384–89).
11. In July 1780 Hyder Ali, the sultan of Mysore in India, invaded the Carnatic and proceeded to attack British garrisons in the interior towns, taking the port of Pondicherry, which the French had surrendered to the British in 1778. The majority of British forces in India were divided between Madras and Guntur further to the north. In September Hyder sent part of his force to attack Guntur, which was commanded by Col. William Baillie. Baillie's 4000 men were almost completely wiped out. For other developments regarding the war in the east see Henry Brockholst Livingston to WL, Apr. 1, 1781.
12. Gen. Daniel Morgan. Brockholst is referring to the battle of Cowpens on Jan. 17, 1781. See WL to John Jay, Mar. 10th, 1781. For developments in the south since Cowpens see William C. Houston to WL, Mar. 28, 1781.
13. The letters were printed in issues of the *Pa. Packet* between July 21 and Aug. 7, 1781. Among the letters was one from James Meyrick to Benedict Arnold, dated Jan. 30, 1781, advising that the bulk of Arnold's £6,000 compensation had been sent to London in the form of an order for £5,000 on the bankers to the court, and was invested for £7,000 in the funds, at 72 1/4.

## From Peter Van Brugh Livingston

Baskinridge 5th. May 1781

Dear Brother

Your favors of the 26th. April & 1st. Instant I have received.<sup>1</sup> In answer to the first I well recollect you paid me my part of Talcots [in] to my Fathers Estate that I gave you a Receipt and made a note of it which is amongst my papers which I cant at present turn to. I received it in Certificates on which I allowed the Interest [from] the Date to the time of payment & in Continental paper money reckning every paper Dollar for a Silver Dollar agreeable to a most unright Law, the whole I received for £143:11—New York [money] was three hundred and fifty Eight paper Dollars and Seven Eights of Dollar, but what you now ought to pay Sister Lawrence I am not able [to] tell and I much Doubt whether even Congress can.<sup>2</sup> The Certificate I still have and that [with] the rest of the paper will not now purchase [ . . . ] hard Dollars.<sup>3</sup> Col. Elisha Lawrence<sup>4</sup> at Upper Freehold has the care of my Lands at Cross[wicks] which I am informed has been greatly robbed [of] Timber at least Two thousand pounds worth hard money & the Loss carried to the Sawmill in the neighborhood and not improbable [but] some to Mr. Stevens's mill. As the Express is waiting I shall not add but that I am Your affectionate Brother

P. V. B. LIVINGSTON

ALS, NN.

1. Letters not found.

2. See WL to Catharine Lawrence, Apr. 21, 1781.

3. For latest mention of currency exchange rate see WL Proclamation, Apr. 28, 1781.

4. Col. Elisha Lawrence, the last colonial sheriff of Monmouth County, commanded the First Regiment of New Jersey Royal Volunteers, popularly known as "Skinner's Greens." Lawrence apparently had retained control of Upper Freehold almost until the end of the war, when he went into exile in England. He received a large land grant in Nova Scotia, to which he moved after an extended stay in London in the 1780s. He died at Cardigan, Wales, in 1811.

## To John Witherspoon

Trenton 10 May 1781

Sir

I have received your Letter of the 8th Instant.<sup>1</sup> The publication in Rivington which you mention, I have seen & think with you can do very little hurt to either of us. But I am at a loss what measures to take on the Subject matter of those Letters.<sup>2</sup> I do not desire any other lands in lieu of mine. I want my own because I know them to be good but I do not know what kind of lands they will think proper to [ . . . ] as an equivalent. I would rather wish if the lands must be thus taken from me to have the value in money. While the affair of Vermont is sub judice, I cannot write to them as an independent State<sup>3</sup> but as you have a correspondence with individuals of influence among them, I shall be obliged to you for mentioning to them the above, or previous to your writing for giving me your friendly & candid sentiments which will be for my best Interest for tho' it has for many years been my profession to manage other people's affairs I never had any sagacity about my own.<sup>4</sup> As travelling is extremely expensive & they will naturally allow a reasonable time for an answer to their proposals I really cannot afford to join in the expence of an Express. I am with great Esteem

LBC, MHi. Sedgwick transcription.

1. Refer to John Witherspoon to WL, May 8, 1781 (NN).
2. On the capture of Witherspoon's correspondence see WL to Catharine Lawrence, Apr. 21, 1781, n. 6.
3. Vermont leader Thomas Chittenden assured WL of an equivalent land grant, but did not specify its location.
4. WL retired from the active practice of law in 1772.

## Commission of Samuel Witham Stockton

Trenton, May 12, 1781

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—

To Samuel Witham Stockton Esquire Greeting

Reposing especial Trust and Confidence in your Integrity Prudence and Ability, I have thought fit to appoint you One of the Masters of this High Court of Chancery in this State.<sup>1</sup> You the said Samuel W. Stockton are therefore by these Presents commissioned to be One of the Masters of the said High Court of Chancery, To have, hold and enjoy the said Office with all Powers Privileges, Fees, Perquisites Rights and Advantages to the same belonging or appertaining for and during Pleasure. Given under my Hand and Seal at Arms at Trenton the twelfth day of May—in the Year of our Lord One Thousand Seven Hundred and Eighty One.

WIL: LIVINGSTON

DS, PHi.

1. For background on the establishment of chancery courts see WL to William Livingston, Jr., Jan. 19, 1781. WL presided over this equity court as chancellor. Stockton functioned as a clerk.

From Joseph Phillips

Maidenhead May 13th 1781.

Sir

I have at length received from the late Judge Advocate<sup>1</sup> the proceedings of the Court Martial against Chamberlain, Reynolds, and Stout, and now have the pleasure to forward them to your Excellency.<sup>2</sup>

I have also received the Governor's Letter respecting a Guard<sup>3</sup> to escort prisoners of War from Trenton to Morris. As your Excellency hath been pleased to inform me, "A Guard must be had" and "It is the Colonel's Duty to procure it if he can." I have in pure conformity to this hint (as I know of no Law that obliges or authorizes in this Case) sent the Adjutant to the several Captains of our regiment to turn out Two men from each Company, and send them properly armed & Equipped to Trenton to morrow at 10 O'Clock A.M. to parade at the Goal in order to take charge of, and march the prisoners etc. 'Tis no doubt necessary business to be done; and who the proper Officer to execute it, I believe not very difficult to determine—perhaps none on this Occasion should stand on punctilio. Will the Governor be pleased to pardon me while I

wish to be considered with respect to the premises in the same predicament with himself “That the Law has not put the business in my Department.” As a Person who is desirous of having the Character of a Modest Officer, I should be very loath or unwilling to interfere, or be forward in engaging in any affair that manifestly appertain’d to another.<sup>4</sup>

I would be glad this distinction may be made; That although Militia Men are Citizens; yet there are a great Number of Citizens that do not belong to the Militia. The Sheriff has as much to do with one Class as ‘tother. He may if he pleases hire Citizens for necessary purposes, not call upon them as Militia. He will offend the Governor if he should encroach on his Prerogative. If I Attempt to prescribe, I am afraid I shall be thought to have lost sight of that Modesty, I am so desirous of possessing. I will only beg leave to add; That I am with sincerity & faithfulness Your Excellency’s Most Obedient Servant

JOS. PHILLIPS

ALS, NN.

1. William Wilcocks was judge advocate.
2. See WL Proclamation, Feb. 13, 1781.
3. Letter not found. Refer to Joseph Phillips to WL, May 5, 1781 (NN).
4. For regulations concerning courts-martial of New Jersey militiamen see WL to the Assembly, Sept. 14, 1778, and n. 5, vol. 2:437–39.

## Proclamation

Head-Quarters, Trenton, 14th May, 1781

By His Excellency  
The GOVERNOR

AT a General Court-Martial, whereof Col. Joseph Phillips was President, held at Trenton the 22d day of March last, by order of His Excellency the Governor,<sup>1</sup> and continued by several adjournments, Lieutenant-Colonel William Chamberlin was tried upon the following charges.

1st. With ungentlemanly and unofficer-like behaviour towards the officers of his regiment.

2d. With having wilfully and maliciously impeded, or endeavoured to impede the militia, when about to march on a general alarm.

3d. With having embezzled the publick stores at Princeton.

4th. With having wilfully, maliciously, and wickedly issued orders contrary to those of a superior officer.

5th. With having issued orders for detaching a number of men to march on duty, the twenty-ninth of March, one thousand seven hundred and eighty, and on the twenty-eighth of the same month, arresting the officers and preventing them from doing their duty till tried by a Court-Martial.

6th. With having returned a number of the Captains to be fined for not making a return of their companies, and not returning others, guilty of the same offence.

The Court having maturely considered the several charges, are unanimously of opinion that he is guilty of the first, second and sixth charges, and not guilty of the third, fourth and fifth charges, and do unanimously adjudge him to be cashiered.

By the same Court-Martial was tried Col. Thomas Reynolds, of the second Battalion of the militia of the county of Burlington, on a charge of "having refused to put into execution the sentence of a Court-Martial held in said county, by his appointment, to assess fines upon certain persons who had refused to turn out on their tour of duty, agreeably to an Act intituled, *An Act to provide for the more effectual defence of the state, in case of invasion or incursions of the enemy*, passed the sixteenth of June, one thousand seven hundred and eighty.<sup>2</sup>

The Court having maturely considered the charge against Col. Thomas Reynolds, and his defence, are unanimously of opinion, that in refusing to put in execution the sentence of the Court-Martial aforesaid, he was guilty of a breach of the above-mentioned law, and do adjudge that he be fined in the sum of Fifteen Pounds lawful money of this state.

And by the same Court-Martial was tried Major Cornelius Stout, of the third battalion of the militia of the county of Hunterdon, upon the following charges, viz.<sup>3</sup>

1st. That at the time of the Springfield alarm, in June, one thousand seven hundred and eighty, the said Major Stout sent written orders to Capt. Snook, who was then on his march, under the command of Col. Chamberlin, to join him the said Major Stout on another rout.

2d. That in June, one thousand seven hundred and eighty, he made an unjust and fraudulent return to General Heard, of the number of his men.

3d. With having uttered ungentlemanly and opprobrious words of His Excellency the Governor and Commander in Chief of this State.

4th. That about the time the enemy left Princeton, the said Major Stout left his regiment and went to Princeton, and suffered the publick stores to be wasted and embezzled.

The Court taking into consideration, the several charges against Major Cornelius Stout, are unanimously of opinion, that he is guilty of the first and third charges, and not guilty of the second and fourth charges, and do adjudge that the said Major Cornelius Stout, of the third battalion of the militia of Hunterdon county, be cashiered.

All which sentences and adjudications I do approve of and confirm, and order the same to take place.

WIL: LIVINGSTON

*N.J. Gazette*, May 16, 1781.

1. For court-martial order see WL Proclamation of Feb. 13, 1781, and n. 1. See also N.J. Archives miscellaneous assembly documents, #685, Oct. 7, 1780.

2. See Joseph Budd to WL, Aug. 18, 1780, and Thomas Reynolds to WL, Sept. 1, 1780, regarding Reynolds's problems with his militiamen. Refer also to Philemon Dickinson to WL, Sept. 21, 1780 (NN).

3. For Chamberlin's charges against Stout see William Chamberlin to WL, July 26, 1780.

### From John Witherspoon

Philadelphia May 15. 1781

Sir

I have been favoured with your Excellencys Letter<sup>1</sup> and considered it carefully. I am glad to find that the Publication by Rivington of the two Letters has done no Manner of Hurt. The most part do not seem to understand them as to give themselves any Concerns about the Subject of them. Of those who do understand them I have not met with any Person who found the least Fault. It seems by the Letter, that it is still uncertain whether your Part of Royaltons has been so far granted away as to be incapable of being recalled. I do not think it probable that they could turn your Land into Money easily at any tollerable Price & therefore I think in Case it is fare it would be best to accept of the offer they make in a certain Manner. It would certainly not be proper for you to

apply in your own Name to the Official Persons of that Government but you might make out a List of Names of Persons who would release to you which used to be this Way in old Times of taking out Grants and if you communicate them to me I would send them to Mr. Lean<sup>2</sup> or Mr. Tichenor<sup>3</sup> or some Persons who would take care of this Affair.

Probably the Matter may bear a Delay of 25 Days & therefore as I return to princeton the End of next Week by agreement with Mr. A[ . . . ] I shall communicate with you on the Subject. I am your Excellency's most obedient and humble Servant

ALS, NN.

1. See WL to John Witherspoon, May 10, 1781.
2. Matthew Lyon.
3. Isaac Tichenor.

### From Gosuinus Erkelens

Philadelphia 18 May 1781.

Dear Sir

Ever since I had the honor to see your Excellency last: Congress have detained Colonel Dirks in not settling his business:<sup>1</sup> and being obliged to return to Connecticut: and leave my friend in such an unsettled state of business: your Excellency can doubtless Simpathise it to be a disagreeable depart. When just at that moment: I resolved with a Spiritt becoming the Circumstances of the affair: to go and converse with the Gentleman in Congress. And as I have a right to claim some merit in the Holland Corrispondence as well as your Excellency: as also Gov. Trumbull<sup>2</sup> & Colonel Dircks. I represented to the Honorable Congress: that it must prove disagreeable to all parties to be under the [Cruell] obligation to Write letters home: which should be to dissatisfaction to our friends in Holland: and that I could be no longer Silent on the matter to Baron vd Capellen: last I should sacrifice my own reputation: and that I therefore requested the Honorable Congress would do with Colonel Dircks without delay to do what is just & right. Colonel Dircks being Very bussy just now has requested me to write to your Excellency and sends his best respects to your Excellency.

Monsieur de la Touche<sup>3</sup> Commander of the Hermoine frigate is been kind enough to offer the Collonell and his Lady a passage to Newport:

in order to embark from there to Europe: I told Monsieur de la Touche with Whom I have the honor to be well acquainted that he for this kindness would not only oblige the Collonell but also your Excellency: as also Governors Trumbull and Hancock.<sup>4</sup>

Now I beg leave to make your Excellency the following request: I Shall be in trentown by next Monday or Tuesday. If your Excellency has a mind to Write to Europe: also to the Baron vd Capellen: then I take the letters and send the same with Gov. Trumbull and my letters by Express to newport.

Then I further would request your Excellency to be good enough to give me a line of introduction to his Excellency Gen. Washington: having a mind to relate the affair to His Excellency the Commander & [Chief?] and if Gen. Washington would Write to Europe or Write any thing about Colonel Dircks might be a publicq benefit.<sup>5</sup>

Then it also would be very agreable to the Colonel & me, if your Excellency would get ready a line for the Chevallier de la Touche; as a Complement for the favor Shown to him: with some further introduction by Which means the Colonel might obtain a passage to Europe. I have the honor to be with the greatest Esteem Sir Your Excellency's Most Obedient & Most Humble Servant

G. EERKELENS

ALS, NN.

1. Col. Jacob Diriks had unsuccessfully approached Congress in May 1780 with recommendations from WL. He wanted employment from Congress in compensation for his service to the United States in establishing contacts with Dutch patriots sympathetic to the American cause. See Jacob Diriks to WL, July 12, 1780. For WL's involvement with Gosuinus Erkelens and Diriks's mission to the United Provinces see vol. 2:443, 450–51, 472–74, 492–95. Despite his intention to return to Europe, stated in his letter of July 12, 1780, Diriks remained in the United States and requested congressional permission to serve with the American military. On May 17, 1781, Congress resolved that it would be impractical to employ Diriks "consistent with the arrangement of the Army." Diriks was to be given his pay in specie up to the day of this resolution, plus an additional sum equal to one year's pay (*JCC*, 19:94, 128–29; 20:486–87, 514).

2. Jonathan Trumbull.

3. Charles-Rene-Dominique Sochet Destouche.

4. John Hancock.

5. No further correspondence from WL in behalf of Diriks has been found.

## From Baron van der Capellen

Zwol, May 25, 1781

I found myself honored last December with the copy of Your Excellency's letter, dated Trenton, March 15, 1780, and sent to me from Madrid by His Excellency Mr. Jay.<sup>1</sup> That of Governor Trumbull I have also received with additional pieces and information, first the second and third copies, and then, in January, the original via France. The latter is of such interest and sheds so much light on the actual state of America, that it will be published someday with a collection of other pieces relative to that subject.<sup>2</sup>

I have sent Your Excellency no other letters than that one of July 6, 1779; however, it is quite possible that a copy of it has been dated July 16th.<sup>3</sup> The original, which Colonel Dircks had taken along, met with an accident on the Delaware. A copy, given to Captain Robbison, I think, has, *I hope*, cast off to sea, as the Captain had the misfortune of being taken by the English just outside Texel.<sup>4</sup> I say *I hope*, amid the troubles in which the most faithful friends of America, even the city of Amsterdam itself, have fallen on account of the discovery of the well known papers of Mr. Laurens<sup>5</sup>—sufficient example of how right I am to take all possible caution in my correspondence. I particularly, who without any substantial protection, even without the one of the laws of my country, become defenceless before the persecution of my enemies, must especially take care of myself more than anyone else. What people have found under my name at Mr. Laurens's [home],<sup>6</sup> and of what the Lord Hereditary Stadtholder has made a separate communication with Their Highnesses,<sup>7</sup> was taken seriously, that I was warned from more than one side to be on guard for my security at every moment; similarly, at once I also fled at night to Amsterdam from Gelderland,<sup>8</sup> where I spend my summers. It was fortunate for me that the city was also entangled in the American correspondence; this alone saved me, for people are following me, as the saying goes, with lead shoes. I have been assured that there was a strong disposition last autumn to arrange my affairs at least with accommodation, and I would then have been restored to my seat at the meeting of the States of my province, had the

story of Mr. Laurens not unfortunately come between the two. These papers made the anger against my person ignite anew, and gave my enemies a new pretext to taint me with the difficulty which had already been given me undeservedly; and, were it possible to make a certain likeness in the portrait that some very great personage had pleased to make of me, as of a *very useless and dangerous member of the ruling class in the Republic's government* (of which remark I have proof at hand).<sup>9</sup> My extreme attachment to the Americans, as they choose to call it, did me much harm even with people who formerly had not thought unfavorably of me; others, took offence that I displayed such a great desire to leave my country, which each who thinks reasonably, can not find strange in my circumstances. In short, the discovery of these papers has done not the least good, but actually very much harm. They have furnished the English a pretext for a war, which was already decided upon, and [which] they would have had to give us otherwise without any form of pretext;<sup>10</sup> and what concerns me is now more than likely that I will never be restored in government, now that this restoration has not already been one of the results of our break with England, which people generally and reasonably had thought would have brought about at once an alliance between the house of Bourbon and America and given a favorable turn in my affairs. Would Your Excellency please read on the subject pp. 44 and 45 of *Le destin de l'Amerique*, which I am sending you herewith.<sup>11</sup> Your Excellency will please see a short, clear, and accurate report of all that has befallen me in the two enclosed letters,<sup>12</sup> of which one, dated Deventer, February 21st, has been placed in this North Holland newspaper, and the other, dated Leeuwarden, March 8th, has been printed separately, yet some language and expression, rather than the subject matter, [is] sloppy.

I have the intention to publish a detailed memoire of myself some day, and take herewith the liberty of offering Your Excellency in meanwhile a collection of all the pieces which concern me, and are noted in the book-index or journal of my province, as one of my well-wishers really had them published under the much too grandiose title of *Regent*.<sup>13</sup> On page one Your Excellency can find my advice concerning the augmentation of the army, just as I made a report on it in 1773, in the presence of the Prince-Hereditary Stadtholder.<sup>14</sup> This was but the sketch of a larger work, that I am happy in hindsight not to have published. P. 5—my advice on the Scottish brigade; Pp. 20 and 25—my

effort to maintain the constitutions; P. 77—my treatise on the illegality of the servile services of the peasants; P. 297—my further treatise thereupon and further, all writings which have been to and from exchanged. From my Low German translation of the booklets of Dr. Price and my prefaces placed in front of them, Your Excellency will see in what way I have sought to futher here in my country the cause of freedom in general, and that of America in particular.<sup>15</sup> But my role is played out, and that of my country too, unless there will come a very swift and very big transformation, which is sooner hoped than expected.

Congress now having an envoy here, it will not be necessary to keep Your Excellency up with public affairs, concerning which I trust Mr. Adams will send over information from time to time.<sup>16</sup> Only, however, I must beseech Your Excellency to be willingly assured, that the little progress of the negotiations or loans for Congress here in this country do not have their origin in a break in the affections of my countrymen for America. Four fifths of them, even more, are friends and supporters of the latter. I can submit no other expression of this than I have done in two official letters to His Excellency Adams, dated November 28 and December 24, 1780.<sup>17</sup>

The invasion of Georgia and South Carolina; the capture of Charleston:<sup>18</sup> the loss of the Continental frigates;<sup>19</sup> the defeat of General Gates;<sup>20</sup> the inaction of the combined fleets of Guichen and Solano;<sup>21</sup> the decided superiority of the English on the islands and even in New York; the defection of Arnold;<sup>22</sup> the discontent of the American army and the jealousy between it and the political sector;<sup>23</sup> the ever-fluctuating state of Mr. Necker and the uncertainty of the survival of the phenomenon of a good administration in France;<sup>24</sup> and finally, what is more than all this, the dreadful depreciation of American paper currency, depreciation which can only lead to a national bankruptcy if Congress does not find the means to rescue these currency notes with hard money.<sup>25</sup> That is more than is necessary to totter even an established loan. Add to this the fear of Mr. van Berckel<sup>26</sup> of being encircled like an accomplice, etc., etc. These are some facts which influence our nation in general, which itself, make the friends of America tremble among those I consider very enlightened, who fear the consequences of a total destruction of paper currency circulation. They fear that England possesses the means or the army, lacking pay, will grow more indigent or will be very weak, or the militia, for the same reason, will not be assembled in sufficient

numbers; they fear the troubles, disturbances, confusion, which ought to cause a national bankruptcy in all classes of people, and they tremble at the prospect that in the end this nation will break down in sustaining a war which brings along calamities with it, that no nation has ever experienced knowing a total lack of specie and all that results in such a terrible situation. It costs less to shed one's blood for one's country than to suffer poverty at length for love of it. If the American nation yet discovers in its virtue and patriotism a resource against this ordeal, surely it is still unique in this regard, as it is in others.<sup>27</sup>

You understand, Sir, that *all* these anxieties are not my own. It is the way in which my nation views the affairs of America which I am depicting to you—and I can assure you, [Sir,] that, according to the nature of the thing, it will only be by means of *authentic information* of the *real* state of affairs in the new world, that you will succeed in persuading the capitalists of the old to lend you their money.<sup>28</sup> Do not expect that one would do it on principle. Such generosity surpasses the bounds of the virtue of the bulk of men. Nevertheless, I can assure you that the great plurality of my nation, certainly more than four fifths, loves the Americans, and wishes them every possible success. There are only the people attached to the Court of [ . . . ]<sup>29</sup> who one will never win over. I thus implore you, Sir, not to give your Lords and proprietors an idea of the state of affairs in this country, and *especially of the mode of thinking of its inhabitants in general*, which finally can not be found justified by the result and causation of the distances which will increasingly keep the two republics apart, made for each other, which I should ardently wish to see more and more united.<sup>30</sup>

Since I wrote this to His Excellency, the war between England and this Republic, which I have long foreseen and predicted, has broken out.<sup>31</sup> For more than two years I was of the opinion that (righteousness aside, which usually doesn't hinder much the English in their endeavors) this people can take no political step, [other] than fighting with us. Being neutral, and maintaining our neutrality properly and corresponding to the dignity and power of the Republic, we were more terrifying and dangerous to them, than we could be in an open war. They were aware of our unarmed state of affairs. They were aware of our divisions, which they themselves fanned. They were aware of the extent of their influence, of which they long since knew how to make use. Our unprotected trade and colonies could not but become a rich harvest for

their rapacity; also, they have found through all their plunderings against us, in violation of the most solemn treaties, most of the expenses of the war for the current year, and their condition is really (though I still believe that the British Empire, in spite of this appearance of temporary prosperity, will perish) much more favorable at present than last year in external appearance. Herewith is added once again the defeat of General Greene;<sup>32</sup> that they know how to keep Portugal in their interests,<sup>33</sup> and the Spanish fleet idle, and Gibraltar provisioned; that until today armed neutrality has not accomplished anything;<sup>34</sup> that our Republic itself and other powers, whose credit has already been established, negotiate here; that our wealthy people receive hard blows everywhere, which have to bring about a scarcity of money; that people can *not* at present divest themselves of English securities—all this, and not the disinclination of my nation towards America, is the real cause of Congress still finding no money here. The Dutch are very good business people, but in general bad, narrow-minded politicians. They have little political insight; for a sample thereof I need merely to relate how little understanding they have had ever since the beginning of the serious consequences of the revolution in America, and also how many of them, including some of the greatest men, went on imagining even after the declaration of war, that it was merely English bombast; that they had not the courage, and would give in, when we but let our teeth show. On the other side, the opinion of the inexhaustibility of England's resources has struck the deepest roots among us. They cannot yet divest themselves of that prejudice. Daily one encounters people, especially whenever loaning money to Congress is discussed, who, even if not pro-English at all, still keep on imagining that England at last will outlive America again, [or] at least *tear off a large fragment of the southernmost area*. The answer is always *America is not yet an established nation! It is not known what yet can happen! What if France should someday tire of the war and made a separate peace!* Whatever comes of Mr. Adams's *Memorial* and the proposed treaty of friendship and commerce,<sup>35</sup> believe me Sir, the Dutch long just as much to ally themselves with the Americans, as they burn to show the English their mettle. Never have they been so generally detested by all kinds of people than at the present time. And should we not then love the enemies of such a hated enemy—the Americans, who have never done us harm and are now our companions in adversity?—as we begin to lay down the old prejudices even against the

French, though more than a century even inculcated in the schools and with premeditation. God grant that the wish and desire of my countrymen, for the lasting welfare of both our people and support of liberty, may be rapidly fulfilled! But I dare not entrust to this paper what I had to say about this. Commodore Gillon and Mr. van Hasselt will be able to add more to this verbally.<sup>36</sup>

Mr. van Hasselt is my old friend, a man of good family and good manners, of understanding and ability, and what must recommend him in America, of a lofty free intellect. He is leaving his country, since he could live independently for himself and has never wanted to grovel, because he was tired of it. He is the precursor of thousands, who I anticipate will follow him. Your Excellency would oblige me very much, if Your Excellency would have the kindness to honor my friend with Your Excellency's protection, and help him in the place where he will settle down to a favorable reception through Your Excellency's further recommendation. He deserves to be an American.

What the depreciation of paper money means, I think, is that it should never have fallen so low, even that these currency notes would have retained almost their full value, if Congress, with every issuance, had managed to impose proportional taxes payable in paper currency. In that event, the currency notes would have circulated better, and [for] the state, itself always receiving at full value, the residents would have been forced to do the same. The taxes would have brought the currency notes in part again into the coffers of the country, and the government [would] because of that have been able to find the sums it needed for the most part within the country through trade, instead of being forced whenever money was needed to issue new currency notes. There is less money in circulation, and it is also less necessary than people generally think. Each piece appears anew, first in one hand, then in the other hand; it is though the same piece, and I do not believe that America needed 200 million dollars in circulation.<sup>37</sup>

Governor Trumbull, moreover, does me the honor of writing that His Excellency is no "*advocate for internal or foreign loans*; that in his Exc. opinion it is like *cold water in a fever* which allays the disease for a moment, but soon causes it to rage with redoubled violence."<sup>38</sup> I agree in this respect with His Excellency. I generally consider *loans* a great evil, but at the same time necessary, an unavoidable evil, since all nations have had recourse to them. They give the body politic an artificial

strength, so that a nation which would want to rely merely on its natural resources in our days, as it appears to me, should surely become the dupe. The *loans* are like opium in the bodies of the Turks. The wars are at present so expensive, that it has become impossible to get together large sums, necessary for them, other than by means of trade; it would be desirable, though, that as well the gunpowder and the new science of war had remained forever unknown.

Among the little pieces which I have taken the liberty of sending Your Excellency herewith, is a letter of advice of my worthy cousin and bosom friend, that utters bold language, "*the insidious British influence*"—that says it!<sup>39</sup> Last Tuesday the States of Gelderland being again assembled, and being for good reasons to consent to the enlargement of the militia, he complained strongly that foreigners were favored with the most important and profitable military offices; that foreign princes and great lords were invested with the best administrations and commands, etc. etc. How readily people also would like to divest themselves of this troublesome adviser, who cannot be brought into temptation by anything.<sup>40</sup>

Your Excellency will please be so indulgent as to excuse the writing and style of this. My head and nervous system are again so weak, that I am completing this only with effort, and see no possibility, according to my obligation, to write Governor Trumbull in detail at this time, making myself, moreover, hurry so that I shall still be able to profit from Commodore Gillon's kindness, entrusting him with this. Your Excellency shall hence greatly oblige me, since Your Excellency had the kindness to convey the contents of this to Governor Trumbull, with a thousand compliments to His Excellency.

An urgent concern for my own safety presses me, especially since the case of Mr. Laurens reminding me to request that none of my letters be sent overseas, or as long as affairs remain in this state, to make [them] public, when they are recognizable through the contents or signature. Congress should very easily involve me in greater dangers, than it as yet could rescue me from.

I solicit very much the continuation of Your Excellency's favor, friendship, and correspondence, and have the honor with the deepest veneration to be Your Excellency's very humble and very obedient servant,

J. D. VAN DER CAPELLEN

Lcy. Published in *Brieven*, 246–54. Translation.

1. See WL to Baron van der Capellen, Mar. 15, 1780, 3:131–43.
2. Trumbull's letter was dated Aug. 31, 1779, and was published in *Verzameling van Stukken, tot de dertien Vereeigde Staeten van Noord-America betrekkelijk* (Collection of Pieces Concerning the Thirteen States of North America), Francois Adrian van der Kemp, ed. (Leyden, 1781). The thirty-page letter is also located in the Mass. Historical Society, *Collections*, 1st series, vol. 6.
3. WL received the copy. See Baron van der Capellen to WL, July [6] 16, 1779, 3:131–43.
4. Texel is an island off the coast of Holland in the North Sea.
5. Henry Laurens bore a proposed treaty of amity and commerce from Congress to the Dutch Republic, as well as a list of Dutchmen friendly to the American cause. His ship was stopped by an English man-of-war and the papers discovered. See Jacob Diriks to WL, July 20, 1780.
6. In the summer of 1780 the British had destroyed Henry Laurens's plantation, "Mepkin," in South Carolina. Refer to James Custer to John Laurens, June 13, 1780, in Laurens MSS in Long Island History Society.
7. Their Highnesses: the States General, the legislative body of the United Provinces. The hereditary Stadholder, William V, was the chief executive and captain-general of the Dutch Republic.
8. Gelderland was one of the seven United Provinces.
9. The comment was probably made by Risklof Michael van Goens, who in 1781 wrote a series of tracts supporting the Orangist party and attacking van der Capellen as one who misled the people.
10. The British declared war on the United Provinces on Dec. 20, 1780. See William C. Houston to WL, Mar. 22, 1781. For the causes of the British declaration of war see John Matthews to WL, Jan. 29, 1781.
11. *La destinée de L'Amerique* was written by Antoine Marie Cerisier in 1780. The book consists of a series of fictional dialogues among Lord North, George III, and others. Although the pagination differs in the various editions, it would appear that van der Capellen refers to a diatribe by Lord North against a certain "Gentil-homme" in Holland who, like other opponents of authority, agitates against tradition.
12. Enclosures not found.
13. Jonkheer Johann Derk van der Capellen, *Regent* (Leyden: 1779). Baron van der Capellen had already sent this collection to WL in his July 1779 letter, along with an explanation similar to the one that follows. See Baron van der Capellen to WL, July [6] 16, 1779, 3:131–43. A regent was a member of the Dutch commercial aristocracy. The title was too grandiose for van der Capellen, since he had lacked the property qualifications to enter into the Knightly Order of the States of Overijssel, the province in which he grew up.
14. The 1773 report has not been found. However, van der Capellen had frequently written that the popular military force should be responsible to town councils and not the Stadholder.
15. For these issues see Baron van der Capellen to WL, July [6] 16, 1779, vol. 3:131–43. The treatise regarding the servile services of the peasantry refers to Capellen's discussion in the earlier letter of the duties of the Drost.
16. In 1781 John Adams was appointed by Congress minister plenipotentiary to the United Provinces. For the circumstances relating to his appointment see Henry Brockholst Livingston to WL, Apr. 1, 1781, and Baron van der Capellen to WL, July 16, 1781.

17. The letters, originally written in French, are found in Charles Francis Adams, ed., *The Works of John Adams*, 10 vols., (Boston, 1850–1856), 7: 333–36, 343–46). The excerpt begins with “The invasion” and ends with “more and more united.” The two sentences regarding the loan and Mr. Van Berckel are from the November 28 letter. The remainder of the excerpt is from the December 24 letter.

18. The British had invaded the south in the fall of 1778. Charleston surrendered on May 12, 1780. For more recent developments in the South see William C. Houston to WL, Apr. 17, 1781.

19. Van der Capellen refers to the May 6, 1778, British raid up the Delaware in which some forty-four American vessels were burned or sunk.

20. On Aug. 16, 1780, Maj. Gen. Horatio Gates was defeated at Camden, S. C. See WL to George Washington, Sept. 16, 1780.

21. Throughout the spring of 1780 Comte de Guichen patrolled the West Indies under orders to destroy British island fortifications, engaging the enemy as little as possible. Though the English admiral George Rodney encountered de Guichen several times, the French strategy of invasion and evasion frustrated the English because Rodney could not force a fight. Commander José Solano had left Cádiz at the beginning of May with twelve ships of the line and met de Guichen’s force at Guadaloupe. Solano, his crews weakened by disease, did not join the French in attacking British possessions in the West Indies. Instead de Guichen escorted Solano to Cuba and went on to St. Domingue, where he found appeals from Conrad Alexandre Gérard and Lafayette to come to the aid of the Americans. Despite the appeals, de Guichen followed his original orders and sailed to Cádiz. See Henry Brockholst Livingston to WL, Mar. 21, 1780, 3: 344–45, and WL to George Washington, Sept. 16, 1780.

22. For previous references to Arnold’s treason see Henry Brockholst Livingston to WL, Apr. 29, 1781.

23. From the beginning of the Revolution, tension existed between the civil authorities in the states and the Continental army. States feared and resented the power granted to the army by Congress at their expense. They were particularly wary of the specter of a military dictatorship, which they believed would follow the establishment of a permanent standing army. The states were reluctant to comply with congressional resolutions either to speed recruitment or to maintain troops for long periods of enlistment, as Washington demanded. See, for instance, George Washington to WL, Oct. 18, 1780. Periodic efforts were made by some patriots to renew or bolster the almost dictatorial powers Congress had conferred on Washington for a limited time in December 1776. The most recent attempt had been at the Hartford Convention, convened on Nov. 8, 1780. Most Americans, including WL, feared dictatorship, but WL was willing to accept Washington temporarily in that role. See John Witherspoon to WL, Dec. 16, 1780, and WL to John Witherspoon, Dec. 28, 1780.

24. Jacques Necker had been minister of finance in France since 1776. Although he had actually increased the French national debt by borrowing to finance the war with England, his attempt to increase tax revenue and restore fiscal soundness to France impressed liberal opinion throughout Europe. He was dismissed on May 24, 1781, but returned to the ministry of finance in 1788 and 1789. His dismissal in the latter year was an important factor precipitating the French Revolution.

25. For the most recent reference to currency see WL Proclamation, Apr. 28, 1781.

26. Engelhart van Berckel, a Dutch Patriot and supporter of the American cause.

27. In this Lcy, van der Capellen crossed out the sentences beginning with “They fear” and ending with “as it is in others.” These sentences were included in the original letters to John Adams.

28. The reason for the initiation of correspondence between WL and van der Capellen was the hope that a loan might be secured from the United Provinces. See Baron van der Capellen to WL, July [6] 16, 1779, vol. 3:131–43.

29. The draft of Capellen's letter reads "à la cour que." Van der Capellen is referring to the court of the hereditary Stadholder, William V.

30. In this Lcy, van der Capellen crossed out the sentences beginning with "Nevertheless" and ending with "united." These sentences were included in the original letters to John Adams.

31. See WL to John Jay, Mar. 20, 1781.

32. A reference to the battle of Guilford Courthouse. See William C. Houston to WL, Mar. 28, 1781.

33. The traditional alliance between Great Britain and Portugal had been reaffirmed in July 1776, when Portugal closed its ports to American shipping. Portugal was fearful of an impending war with Spain and needed British support. Although war between Spain and Portugal was averted, in 1777 the United States offered to go to war against Portugal in the hope of winning an alliance with Spain.

The 1777 accession to the Portuguese throne of Maria I, the niece of the Spanish king Charles III, helped to resolve all outstanding difficulties between Spain and Portugal and led to an entente that was confirmed by the Treaty of Prado on Mar. 24, 1778. By the terms of this treaty, each country promised neutrality in case the other entered into war against a third power, thus assuring Spain's position in the event of war with Britain. Contrary to what van der Capellen implies, privileges enjoyed by the British navy in Portugal in previous wars were curtailed during the American Revolution, and by June 1780, Congress appointed an official agent to oversee American interests in Portugal (*JCC*, 17:541–42). See Henry Brockholst Livingston to WL, Apr. 1, 1781.

34. For an explanation of the treaty see Henry Brockholst Livingston to WL, Apr. 1, 1781.

35. As minister plenipotentiary to the United Provinces, John Adams was empowered by Congress to negotiate a treaty of amity and commerce. See note 16 above.

36. Willem van Hasselt and Alexander Gillon.

37. A congressional act of Mar. 18, 1780, reduced the legal value of currency by one to forty to \$5 million (*JCC*, 16:262–66). For more recent economic developments see n. 25 above.

38. Trumbull's comment appears in his Aug. 31, 1779, letter to van der Capellen. See n. 2 above.

39. Robert Jasper van der Capellen van der Marsch.

40. A reference to Duke Louis of Brunswick-Wolfenbüttel, who was attacked repeatedly because of his strong influence on William V.

### From George Washington

*Head Quarters, New Windsor, May 27, 1781.* Washington informs WL of his meeting with Comte de Rochambeau at Wethersfield, during which it was decided that French and American forces will rendezvous for an attack on New York to be launched from the North (Hudson) River.<sup>1</sup> Washington believes the mission will succeed, unless Americans

fail to raise sufficient forces or the British recall a considerable part of their force from the South.<sup>2</sup> If the latter occurs, then Americans alternatively could liberate the southern states.

Since the operation will require most Continental battalions, Washington requests that the congressional requisitions to the states for recruits be fulfilled.<sup>3</sup> New Jersey still lacks 455 men to complete its two regiments. Washington also urges WL to make available four hundred militia for communications work and other purposes. Finally Washington requests that the state legislature vest the executive with authority to comply with future military requisitions for provisions, teams, and carriages during the recess of that body.

ALS, NN.

1. Refer to Washington's "Conference with Comte de Rochambeau," May 23, 1781 (Fitzpatrick, *Writings of Washington*, 22:105–7).

2. For the most recent developments in the South see William C. Houston to WL, Apr. 17, 1781.

3. For the measures undertaken by Congress to fulfill its troop requisitions see WL to John Mathews, Feb. 2, 1781.

### From William Chamberlin

Amwell May 28th 1781

Sir

I have Never Seen the minnets of the house Respecting the Court-Martial Till this morning.<sup>1</sup> Observe you are to be furnished with the Charges and for fear your Excellency has not Received them before now—have Drawn them Out and Enclosed them to your Excellency and Desire the Court-martial may be ordered for their Tryal amediately<sup>2</sup> I am your most Obedant & Humble Servant

WM. CHAMBERLAIN

#### *Attachment*

Charges as follows

David Bishop Adjutant for Refusing to Parade	Garrison P[?]
the men when ordered But marcht of with	Jacob Stout
them Saying their was no Chance that their	
was Ten to one of the Enemy & when at the	Judiah Higgins

- Same Time their was But 20 or 30 of our men  
Coming to Joine us. Sowerland Mountains,  
June 1777——for disobeying orders October  
14th 1779 & Sundry Times Since  
George Hide  
Wm. Chamberlin
- Captain John Schenk for disobeying orders  
March 1780 for Conspirecy and ungentle-  
manly unofficerlike Behaviour  
George Hide  
Wm. Chamberlin
- Captain James Stout for disobeying orders  
march 1780 for preventing his Lieutenants  
from Turning out the Men in a Tour of  
Duty—agreable to my orders after I arrested  
him for the above charge  
Lieutenant Hagerman  
Lieutenant Mathesson
- Capt. George Ely for Refuseing to Turn out  
with his men December 4th 1776 and later of  
same month Refused to assist me across Dille-  
war with Sundry Prisnors when it was Ex-  
pected the Enemy was after me to Retake  
them—and for Conspirecy with Col. Cham-  
bers against his Country at the Time the En-  
emy lay at Prinston, Trenton etc.——also for  
Deserting me with all his men at the Jarmon-  
town Battle  
Wm. Park  
Col. Houghton  
Derrick Bulfin  
Charles [?]  
Wm. Chamberlin
- Capt. Cornalius Hoppock for Disobeying  
orders march 1780 for Conspirecy ungentle-  
man & unofficerlike Behaviour  
Wm. Park  
George Hide  
Wm. Chamberlin
- Capt. John Phillips for Disobeying orders and  
for ungentlemanly unofficerlike Behavior  
Such as Saying he would Suffer his arms Cut  
Off Before he would Brake league with those  
he had Entered into Conspirecy with agains  
me—and [dectaining?]  
Thomas Akers  
John Howard
- Such officer as Did not Joine them Deserved to  
be kickt by Every one of their Band or Club—

for Deserting his post when Placed an Officer of the Guard September 1777.

Lieutenant Jacob Brink for Detaching 30 or 40 men from my Command and marching of Befour my face January 25 1776 for Deserting me at the Jarmontown Battle October 4th 1777 for Detaching a Number of the Men from the Regiment and going to Prinston Plundering and Embezling large Quanties of the Publick Stores after the Battle their January 6th 1777

Wm. Park  
Col. Houghton  
Knack Osborn  
Wm. Akers  
Wm. Chamberlin

Lieutenant John Rockefeller for Neglect of Duty and Disobeying orders

Wm. Chamberlin

Ensign John Barnes for Refuseing to march with the Six Months men June 1780

Lt. Taylor  
Wm. Chamberlin

Lt. John Prall for Conspiracy against me and Refuseing to obey orders——

George Hide

ALS, NN. Enclosure, MHi.

1. For court-martial proceedings see WL Proclamation, May 14, 1781.
2. For the original complaint see William Chamberlin to WL, July 26, 1780. There is no evidence that courts-martial were ever convened on these charges. Chamberlin may have initially enclosed the accusation in a letter to WL of March 7. Enclosure not found. Refer to William Chamberlin to WL, Mar. 7, 1781 (NN).

### Message to the Assembly

Princeton 1st June 1781

Gentlemen

I herewith lay before the honourable House a Resolution of Congress of the 26th instant for “transmitting to the Executives of the States from New Hampshire to New Jersey, both inclusive, Copies of Major General Green’s Letter of the 22d of April last;”<sup>1</sup> together with a Copy of the said Letter.

WIL: LIVINGSTON

ALS, NjP.

1. Nathanael Greene's letter, enclosed in a letter to WL from John Mathews, has not been found. Refer to John Mathews to WL, May 29, 1781 (NN). The May 26, 1780, congressional resolution urged states to fill their quota of men to hasten the relief of the southern states (*JCC*, 20:548). An assembly committee considered the request that same day along with George Washington's letter to WL of May 27, 1781.

## To George Washington

Princeton, 1 June 1781

Dear Sir

I have the Honour to inclose to your Excellency a Resolution of our Legislature desiring me to apply to you for some Ammunition.<sup>1</sup> Lead is not to be purchased in Philadelphia; & tho' we have employed a person to procure it in Boston, his Journey thither & back again will necessarily keep us too long without that essential Article.<sup>2</sup> I have the honour to be with the greatest esteem Dear Sir your most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Resolution not found.

2. The identity of the person sent to Boston by WL is unknown. He may have been instructed to buy lead left behind by the British when they evacuated the city on Mar. 17, 1776. Washington was also borrowing British ammunition from Massachusetts at this time (Fitzpatrick, *Writings of Washington*, 22:153–54).

## Proclamation.

[June 2, 1781]

BY HIS EXCELLENCY  
WILLIAM LIVINGSTON, Esquire,

Governor, Captain-General and Commander in chief in and over the state of New-Jersey, and territories therunto belonging, Chancellor and Ordinary in the same.

WHEREAS by a certain act of the Legislature of this state, intituled, *An Act to amend an Act, intituled, 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*, passed at Trenton the seventeenth day of November

last, it is enacted, that it shall and may be lawful for the Governor and Privy Council, immediately after the passing the said act, and thereafter, from time to time, as often as the same may be thought necessary, to ascertain and declare the general current rate of exchange between continental currency and specie, as by the said act may more fully appear.<sup>1</sup>

I have therefore thought fit, by and with the advice of the Honourable the Privy Council of this state, to issue this proclamation, to declare and make known to the Citizens of this State, that the said Governor and Privy Council have, on the day of the date hereof, ascertained and declared, and do hereby ascertain and declare the present exchange between continental currency and specie to be ONE HUNDRED and SEVENTY-FIVE for ONE.<sup>2</sup>

*Given under my hand and seal at arms, at Princeton, the second day of June, in the year of our Lord one thousand seven hundred and eighty-one, and in the fifth year of the Independence of the United States of America*

WIL. LIVINGSTON

By His Excellency's command

BOWES REED

GOD SAVE THE PEOPLE.

*N.J. Gazette*, June 6, 1781.

1. The legislature had set the exchange rate at 150 to 1 on Apr. 28, 1781. See WL Proclamation, Apr. 28, 1781.

2. When news of the New Jersey action reached Philadelphia, it caused "a confusion among the people of this City approaching nearly to tumult, a total Stop to the circulation of the old money, and a considerable stagnation and increased depreciation of the new," reported Virginia delegate James Madison to Governor Thomas Jefferson. The action raised intense fear that speculators would take advantage of Virginians who were not aware of the new rate (Burnett, *Letters*, 6:77–78, 79–81).

From Joseph Reed

Philadelphia June 2, 1781

Sir

Well knowing that your Time must be engrossed by the most important Considerations I must crave your Indulgence for this Interruption, but as it is on a Subject [interesting] to the Government of this State

and to myself individually I flatter myself you will excuse it & favour me with an early Answer. Without farther Preamble therefore I am to acquaint your Excellency that amidst the Confusion arising from the Parties among us it has been inprest into the Minds of a great Proportion of the Officers & thence spread this through [the?] State that the Mutiny of Pennsylvania Line last Winter might have been suppressed by their own Officers but for the improper Interference of myself & Gen. Potter—that Force might have been happily & successfully used on that Occasion.<sup>1</sup> As I well remember your Excellency & the Council were then sitting at Trenton I am to request your free & explicit Opinion whether the Authority of New Jersey would have ordered out their Militia—or whether there was any Probability that the Militia of New Jersey could have attacked the Mutineers with Prospect of Success—or whether they would have done it in any other Event than that of the Mutineers plundering the Inhabitants or turning toward the Enemy. And whether under the Circumstances of the Case an Accomodation rather than [force?] was not generally deemed desirable. As your Excellency will have an Opportunity to consult some of the other Gentlemen on any Circumstances which may have escaped your Recollection in the great Hurry of Business I flatter myself you will have less Troubles to Comply with my Request.<sup>2</sup> I am with much Esteem Your Excellency's Most Obedient Humble Servant

JOS. REED

ALS, NN.

1. For the revolt of the Pennsylvania line see James Burnside to WL, Jan. 11, 1781. Reed and James Potter were authorized by the supreme executive council of Pennsylvania to negotiate with the mutineers. Problems arose with Reed's settlement because money could not be raised to pay the soldiers' back wages. Most of the criticism directed toward Reed came from regimental commanders and centered on his decision to let a soldier's word, regarding his proper discharge date, stand in lieu of the official records. This policy reduced the Pennsylvania line from 2450 men on Jan. 1, 1781, to only 1150 men on Jan. 31, 1781. Additionally, on March 2 the Pennsylvania Assembly adopted an unfavorable committee report on the affair, which Reed protested. On June 2 Reed requested a new report from the same committee. This report, dated June 8, condemned statements unflattering to Reed and Potter who "did render on that occasion every service to their country that circumstances and the nature of the transaction would admit of."

2. No reply to this letter has been found.

## From Samuel Carhart

Monmouth County 5th. June 1781

Honored Sir,

Whereas you have been pleased to Appoint me in Command of the Twelve Months Troops for this County, the which appointment I accepted, & have done, & Still mean to continue in doing my duty faithfully under that appointment;<sup>1</sup> And whenever I think there is more Assistance wanting than what your Excellency has been pleas'd to allow (altho' I must say that we have not much above half the compliment of Men Orderd us, which is Intirely Owing to the want of Money)<sup>2</sup> I think it my Duty to acquaint your Excellency with it, and it is my humble Opinion, (as from good Authority, I have Reason to Expect a Visit from the Enemy Very Shortly) that it would be prudent to call out One Class of the Militia, untill our Company's can be completed, the which from Experience cannot be done, untill our Men are paid off, or at least some consideration made them for past services. I Yesterday received a Letter from Ensign Imlay,<sup>3</sup> (who by your Excellency's Order I have station'd at Toms River) who Informs me that a part of his Men has Inlisted from him in the Continental Service, And Apply'd to me to send him more Men, the which is at present out of my power to do, unless I leave my Post too weak; I have therefore wrote him an answer that I would Imediately make my application to your Excellency, and wait upon him personally myself with your Excellency's Answer, the which I hope to receive by the Bearer. I must beg your Excellency's Opinion, whether Men that are Inlisted in our Company's can with any propriety leave us to Inlist in the Continental Army.<sup>4</sup> I am Your Obedient Humble Servant

SAMUEL CARHART

ALS, NN.

1. On Dec. 26, 1780, the New Jersey Assembly passed an act to raise 820 men to complete the state's regiments. Samuel Carhart, John Walton, and David Anderson were ordered to raise 259 men to form three companies in Monmouth County. For difficulties experienced by other counties in raising assigned quotas see WL to Henry Van Dycke, Apr. 8, 1781, and n. 2.

2. Other officers also complained that lack of money and the absence of a bounty were hindering recruitment. See Jonas Ward to WL, Mar. 28, 1781.

3. David Imlay.

4. The men were attracted to continental service by a \$200 bounty offered by Congress (*JCC*, 13: 108, 298–99).

### From Robert Livingston

Manor Livingston 5 June 1781

Dear Brother,

As agreeable as it is to you, to hear from us in this Quarter, so be assured it is to me, to hear frequently from you,<sup>1</sup> & my Brother Peter & Sisters in your Quarter whenever I receive a letter from you,<sup>2</sup> or them, believe me it revives my heart & gives me new Spirits, continue then to let me hear from you as frequent as your multiplicity of business of greater consequence will permitt, for no doubt you have a great abundance on your hands I really pittie you while you have to go through it without having so much as a certain place of abode to take your ease. Good God how long is this to Continue will our inveterate Enemy hold on as long as a Shilling can be gott by Subscription.

Will not St. Nicolaus move the Dutch to do themselves Justice by way of retaliation, & will not the other northern Powers assist in bringing down the haughty daring Spirit of St. George which Seems to bid defiance and threatens all Europe who dare be honest enough to assist the poor Americans.<sup>3</sup> Surely we shall by & by hear of their being [ready?] to revenge the cause of Liberty and of men, & nations and procure Peace for us.

In the meantime we Should Exert all our possibles to oppose this murderer burning Cru, within our bowels, this I trust we are Endeavouring in the Southern States may God grant they may be Drove out and to their Shippen so home to Save their owne Island.<sup>4</sup>

We here are greatly Distressed for want of a Currency no trade nor any money among us the Taxes cannot be paid however willing people are we have not yet heard of any Enemy on our Frontiers long may it last.<sup>5</sup>

I wish the long Expected French Fleet did arrive that we might at least make a tryal to retake our Capital that hundreds of poor refuge's

might return to their habitations<sup>6</sup> & we be Blessed with a Sea Port again that necessaryes of life might again be had as formerly, patience when God pleases this will be, & his time we are to wate.

I realy fear our opperations in the South do not go on so well as we Expected in the Spring,<sup>7</sup> we here are in pain for the poor inhabitants whom we fear are suffering may god Grant the Enemy may be drove off, all my numerous family are through mercy Enjoying health, your Sister joyns me in Love to your<sup>8</sup> Sister & all the family, am Sinclearly Dear Brother Your Affectionate Humble Servant

ROBT LIVINGSTON

ALS, NN.

1. Last letter not found. Refer to Robert Livingston to WL, Apr. 13, 1781 (NN).
2. Peter Van Brugh Livingston and Alida Livingston Hoffman were both living at Basking Ridge.
3. St. Nicholas, the patron saint of children, is often referred to as the patron saint of the Netherlands. St. George is the patron saint of England.
4. For military action in the South see William C. Houston to WL, Apr. 17, 1781. After the battle at Guilford Court House, Gen. Nathanael Greene continued to South Carolina where his troops were defeated by Lord Francis Rawdon at Hobkirk's Hill on Apr. 25, 1781.
5. For efforts of the New Jersey legislature to deal with inflated currency see WL Proclamation, Apr. 28, 1781.
6. See William C. Houston to WL, Mar. 28, 1781. For correspondence relating to American and French attempts to capture New York see George Washington to WL, May 27, 1781.
7. See William C. Houston to WL, Apr. 17, 1781.
8. Catharine Lawrence. See Catharine Lawrence to WL, Aug. 6, 1780.

From Catharine Livingston

Philadelphia 8 June [1781]

Dear Sir

Col. Burr called on me a half an hour ago,<sup>1</sup> I had been all the morning out, & could not meet with any ribbon of a proper breath for the purpose you want it, the one I have purchased is strong & soft, & I think will do very well after being a few times tyed, I would not have sent it so broad could it have been found narrower. The day before yesterday I received [yours]<sup>2</sup> by Mrs. Smith, it rained all that day & yesterday I was confined with a very bad head ach which I have often since my

fever been afflicted with, but this morning I went first in search of Mrs. Smith for the servant did not leave word where she lodged & then for your ribbon, & had just got in when Colonel Burr called.

I suppose you know Mr. Morris has accepted the appointment of Congress,<sup>3</sup> it gives him great pleasure to hear you are opposed to the tender laws,<sup>4</sup> without the repeal of which he expects to be of little service, every body looks to him for relief, but without the Legislatures of every state supporting him he can not succeed, integrity & abilities are not equal to the working miracles.

If you would wish to write to Mr. Jay<sup>5</sup> by a very good opportunity a letter sent to me within eight or ten days will be in time your last went this day, a Man brought it to me enclosed from you, he beg'd me to acknowledge the receipt of it, & he would call for it, the letter was standing on the mantle peice till I was tired of seeing it, & have never seen nor heard any thing from him since.<sup>6</sup>

No account yet of the Saratoga Mr. Morris thinks she is gone to the West Indies. A Flag lately arrived brings no intelligence of her being brought to Charles Town.<sup>7</sup> We have been very unlucky in what Mr. Jay intended for us, the Luzerne commanded by Captain Bell was captured coming from France & I have reason to think the Colonel shipped a number of things on board of her, the opportunity appeared very favorable she was to sail under Convoy of the Alliance & La Gayet<sup>8</sup>—whichever we may be more successful. I am your affectionate Daughter

CWL

ALS, NN.

1. Aaron Burr.
2. Letter not found.
3. For Robert Morris's reluctance to accept the post of superintendent of finance see Robert Morris to WL, Apr. 12, 1781. It was not until May 14, 1781, that he accepted the appointment (Ferguson, *Papers of Robert Morris*, 1: 17, 62).
4. For WL's opposition to congressional tender laws see "Scipio," Apr. 25, 1781.
5. John Jay.
6. Letters to the Jays in Spain were sent to Catharine Livingston in Philadelphia to be forwarded. Refer to Susan Livingston to Sarah Livingston Jay, May 27, 1781 (NNC).
7. In mid-April 1781, the Continental sloop-of-war *Saratoga* under the command of Capt. John Young, with Midshipman John Lawrence Livingston aboard, was escorting a convoy of about three dozen merchantmen when a storm separated the *Saratoga* from the convoy. The *Saratoga* was never seen again officially. Some believed initially that it may have been dispatched to Charleston to aid in the war effort in the South. For previous

correspondence regarding John Lawrence Livingston's service aboard the *Saratoga* see Robert Morris to WL, July 29, 1780.

8. The *Luzerne* was a Maryland schooner owned by John McClure and Joseph Yeates. In April 1781 the *Alliance*, under the command of Capt. John Barry, was attacked by two British privateers, the *Mars* and *Minerva*, while returning to America from France. Barry was forced to surrender on April 2. On May 29 two British men-of-war, the *Atlanta* and the *Trepassy*, again attacked the *Alliance*. Barry managed to drive between the attackers and forced each of them to surrender. However, there is no mention of the *Luzerne* being involved in these engagements or in convoy with the *Alliance*.

### From Elias Dayton

Chatham June 11th 1781

Sir,

I have lately received orders from his Excellency General Washington to hold the Jersey line in perfect readiness to march at the shortest notice. I am very apprehensive, should the troops be ordered to move in their present necessitous condition, destitute of every kind of cloathing, money etc. and many of them clamouring and demanding their discharges, that the order would be attended with very serious consequences.<sup>1</sup> I must therefore beseech your Excellency to endeavour to have some thing done if possible to quiet the minds of the men; money and cloathing will be absolutely necessary as also a supply of meat since they have been a considerable part of the time without any other provisions than flour; whether through the neglect of the contractors or otherwise I hope, the house will make enquiry.<sup>2</sup>

Enclosed is the examination of John Cully a deserter from the Jersey Brigade, who has been with the enemy several years, during which time he has frequently been out through the country on the robbing, murdering and plundering scheme.<sup>3</sup> Means are taken to apprehend all the persons whom Cully has discovered<sup>4</sup> to be aiding and assisting in the diabolical business. John Marsealason and Cornelius Boise have been apprehended and are now in confinement,<sup>5</sup> Randolph, it is said has gone off to the enemy—parties are sent to black river & Schooley's mountain,<sup>6</sup> which I hope will detect the villains in that quarter. When those fellows are all secured I beg your Excellency's directions in what manner I am to act with them since they will be so numerous as to render it difficult for me to [se]cure them unless it be on a halter.

I have some reasons to believe Marsealason innocent & that he meant to take them in, as he did a party of them last summer. He says your Excellency is well acquainted with his sentiments, if so I should wish to be particularly informed whether he may be admitted to bail or held in close confinement. I am your Excellency Most Humble Servant

ELIAS DAYTON

ALS, NN.

1. For orders to Dayton refer to George Washington to Elias Dayton, May 28, 1781 (Fitzpatrick, *Writings of Washington*, 22:128). For a related letter confirming Dayton's concerns about troop morale see Samuel Carhart to WL, June 5, 1781. Dayton was troubled over a possible revival of the winter 1781 mutiny by the New Jersey Continental Line.

2. To raise £150,000 to answer the exigencies of the state and procure supplies for the use of the army, the assembly, on June 15, 1781, passed "An Act for raising the Value of fifty-thousand pounds in Money and other Supplies in the State of New Jersey, and for other Purposes therein mentioned" (*Acts* [May 24–June 28, 1781], 48). For background on this act see Samuel Huntington to WL, Nov. 9, 1780. The legislative council also authorized James McComb, clothier of New Jersey, to purchase on credit clothing up to the sum of £2,000 (*Legislative Council* [Sept. 19, 1780–Oct. 6, 1781], 22).

3. Cully's examination may be found in DLC:GW, 3:1884–85.

4. discovered: in eighteenth-century usage, to disclose or expose to view.

5. Marscalason was probably an alternative spelling for [John] Mercereau, stage coach driver and American spy. Mercereau was the conduit for information between informants in New York City and George Washington. See George Washington to John Mercereau (n.d., n.p.), instructing him to garner information about British troop movements in New York (Mercereau Papers, NYHS). See also DLC:GW, 1:303, 305; 2:1044, 1308, 1315, 1320, 1324, 1326, 1338, 1369, 1392, 1405, 1482, 1523, 1550, 1552, 1568, 1620, 1624. For earlier correspondence concerning Mercereau see 1:125; and WL to John Neilson, June 15, 1779, 3:112–13. See also WL to Elias Dayton, June 14, 1781, for instructions regarding prisoners.

6. Schooley's Mountain is in Washington Township, Morris County (N.J.H.S. *Proceedings*, 62, [1944], 75–79).

### From Robert Morris

*Philadelphia, June 11, 1781.* Cites a recent newspaper article concerning the necessity of establishing and supporting a national bank to ease the nation's critical financial situation.<sup>1</sup> He urges Livingston and other Americans to invest in the bank's stock.<sup>2</sup> Such investments would benefit both the country and investors.<sup>3</sup>

ALS, NN.

1. Morris's plan for a national bank, which he submitted to the president of Congress, Samuel Huntington, on May 17, 1781, was published in the May 29, 1781, issue of the

*Pa. Packet*. The plan was adopted by Congress on May 26, 1781. The congressional resolution mandated that four hundred shares selling at \$400 each be issued; that there be periodic reports to Morris on the bank's activities; and that the states were to enact laws to make the notes issued by the bank receivable in duties and taxes and to punish embezzlement in the bank (Ferguson, *Papers of Robert Morris*, 1:65–74; *JCC*, 20: 545–48). On May 30, 1782, the New Jersey Legislature passed “An Act to promote and support the National Bank” (*Acts* [May 27–June 24, 1782], 67–68).

2. Morris began a letter-writing campaign in June, both to attract investors and gain popular support. Refer to, for instance, Morris's letters to Horatio Gates, Nathanael Greene, and Philip Schuyler (Ferguson, *Papers of Robert Morris*, 1: 144–47, 176–78). It is not known if WL invested in the bank.

3. The bank, chartered by the state of Pennsylvania, returned profits to its investors for sixty-five years (Ferguson, *Papers of Robert Morris*, 1:67n.).

### From William C. Houston

Philadelphia 13 June 1781

Sir

The Bearer of this, a Mr. Storer,<sup>1</sup> has applied to me for Information whether any Resolution of Congress exists which may counteract his request of a Comission for an armed Boat to cruize against the Enemy.<sup>2</sup> I do not know of any, and so have told him. I know there have been Instances in which the Crews of such Boats have abused the Confidence of a Comission, and have been guilty of very impolitick and even unjustifiable Acts of Depredation; but these Things might happen in the Case of any armed Vessel; and every Instance ought to stand upon it's own Circumstances. Bonds are always taken when Comissions are granted, and Delinquents are punishable by Forfeiture of their Comissions or by being prosecuted upon their Securities. If there is any Resolution of Congress which apparently discourages a Thing of this Kind, probably it may refer to [ . . . ] Parties which make Excursions into the Enemies' Lines merely for the Sake of indiscriminate Pillage contrary to the fair and honourable usages of War; but this I understand to be different from the Object of the Applicant on the present Occasion. This may also be in some Measure guarded against in the Bonds and Instructions, if they are not already sufficiently explicit.

I suppose your Excellency is supplied with Comissions, Bonds and Instructions from the Offices here; and I will observe to you that the Ratification of the Articles of Confederation, enlarges the Power of the respective States in these Matters, as you will find by consulting the 6th

Article.<sup>3</sup> If therefore the Person who solicits will come under proper Restrictions, and give adequate Security, I do not think your Excellency in Danger of counteracting any Resolution of Congress in granting his Request.<sup>4</sup> I am, with due Respect, your Excellency's most obedient and most humble Servant.

W. C. HOUSTON

ALS, NN.

1. John Storer.

2. WL had apparently refused Storer's request for a privateering commission because of a congressional resolution passed June 22, 1779. This resolve recommended that state legislatures pass acts to prevent the plundering of inhabitants in enemy-held territory. As Houston pointed out to WL in a letter dated June 14, the purpose of the 1779 resolution was solely "to prevent pillaging private Family Furniture and Property of innocent and sometimes well-affected Persons . . .," not designed to prevent privateering (*JCC*, 14:758–59). Refer to William C. Houston to WL, June 14, 1781 (NN).

3. The Articles of Confederation had been ratified by the final state on Mar. 1, 1781. See Samuel Huntington to WL, Mar. 2, 1781. The power to grant commissions had been transferred to the governors of the states by a congressional resolution dated May 2, 1780 (*JCC*, 16:403–9). Article VI reserved to Congress the right to commission privateering ships or grant letters of marque during wartime, except in such cases when the "state be infested by pirates, in which case vessels of war may be fitted out for that occasion" by the individual states.

4. WL refused Storer the commission. See WL to Azel Roe, Apr. 22, 1782.

### To Elias Dayton

Princeton 14 June 1781

Sir

I hope that both from a principle of Justice & to avoid the serious Consequences which, with great reason, you apprehend from a farther neglect of our Brigade, the Legislature will seriously attend to the Subject matter of your Letter on that Subject.<sup>1</sup>

The Prisoners you had then taken, & still expected to apprehend for the villainies you mention, I think should be all turned over to the civil Magistrate, except those who can be convicted of being Spies.<sup>2</sup>

As to [Merselis's] Sentiments; I know indeed which Sentiments he *professed*; & it was not likely he should profess any to me, but those of patriotism; but I confess I always had my Suspicions concerning him, tho' I cannot assign any particular reason for it. It appeared to me that

he was trusted both by his Excellency General Washington & Lord Stirling, [but] he was suspected by many to act [out?] [ . . . ] & I remember that I was always shy of him.<sup>3</sup> I C[ . . . ] his Lordship knows more [of him] than I do, & by [Merselis's] account to me, he had rendered considerable Service to the public in several [instances] in which my [ . . . ] employed him.

One William Farr who is out on furlough, & has worked some time for Mrs. Livingston on my farm, informs me that he was certainly inlisted only for three years by Capt. Forman, & that verbally, without ever signing any enlistment That he is [ . . . ] of 49 years; & incapable of travelling. As Mr. Caldwell & Colonel Freelinghuysen have resigned their appointment of settling those disputes, I cannot mention the matter to them. If he is not inlisted to a discharge, I wish he might be indulged in furlough as long as is consistent with the good of the Service. I am Sir your humble Servant

WIL: LIVINGSTON

ALS, DLC:Misc. MSS.

1. For Dayton's concern over the condition and morale of the troops and WL's actions see Elias Dayton to WL, June 11, 1781.

2. No records found.

3. For Mercereau's arrest see Elias Dayton to WL, June 11, 1781.

### From John Taylor

Brunswick June 19th. 1781

Sir

The officer of the guard at South Amboy has again applied to me for ammunition, and it is not in my power to supply him with any more.<sup>1</sup> We have some powder in our regimental Magazine but no lead.

The whale-boatmen from this place are daily guilty of robbing the Inhabitants of Long-Island, and of Staten-Island, and in their last [cruise?] they have murdered an old man because he defended his property in his own house. From principles of humanity, from principles of friendship for my Country and from a principle of self Interest as an Inhabitant of this Town I sincerely wish a stop might be put to their depredations. They certainly do not render their Country any essential

Service; but do it much injury and increase the calamities of war. Prisoners who have left the Islands say that many of the Inhabitants declare, if there is not a stop put to this plundering system that they will lay this place in ashes, and I shall think them Paltrons indeed, if they do not do it. Mr. Robert Hude of this Town says that he can prove that they have plundered the Inhabitants of Long-Island,<sup>2</sup> and that if the Governor will send for him, he will cheerfully obey the summons.

This I write in confidence; for these Privateersmen are grown so insolent by their ill gotten money that it has, become dangerous to oppose them; but if it shall be necessary I will step forth in opposition to them. I remain with every sentiment of respect your Excellency's most humble Servant

JNO. TAYLOR

ALS, NN.

1. See WL to George Washington, June 1, 1781, for request for ammunition. Refer to George Washington to WL, June 9, 1781 (NN), for Washington's promise to supply New Jersey with 15,000 musket cartridges (Fitzpatrick, *Writings of Washington*, 22:190-91).

2. Refer to Robert Hude to WL, June 15, 1781 (NN), for Hude's most recent communication of intelligence.

### From Asher Holmes

Scots Chester June 23d 1781

Sir

The 21st instant the Enemy Landed at Shoal Harbour, about four O'Clock in the morning; marched up to Middletown then Divided in two parties which Took Different Routs. One (the Main Body) took the main Road To Freehold, up to the Upper Baptis Meeting House, then turned of the Right to pleasant valley, the other went mount pleasant Road, Some Distance then Turnd to there Left to ye valley where formed a Junction, with their Main Body, General Skinner<sup>1</sup> Command their Number Judged to be About 1500 men, that afternoon they Retired back to garrets Hill, three miles Below Middletown, where they Lay all Night. Next morning by Eight O'Clock they Began to move off to the Highlands, in the Afternoon Embarked on Board their vessels at Sandy Hook, and Before Night was under Sail Towards New York, they Have missed their Main Object which was Stock, as that was mostly Drove off.<sup>2</sup> Their rapid Inroad prevented Our militia Being Im-

bodied together. Before the Enemy got to the valley, all Our Attack was made in Small parties, for had all Our Regiment Been Collected we Should Not Have amounted to one third of their Number. Therefore Both when they was advancing & Retreating thought it most prudent to Harass with Small parties all in our power which Kept them Close in a Body & prevented their Sending out Small parties to plunder etc. The Enemy have taken off between thirty & Forty Head of Horned Cattle & Sixty or Seventy Sheep,<sup>3</sup> they Have Burnt the Dwelling Houses of peter Covenhoven Esquire, one John Stillwells at garret Hill, and a Boat Hous of John Dorset, Our Loss in men I cannot as yet Assertain, I Know of Four missing & four Wounded. The Enemy have Left three of their Dead men Behind & We have Taken Six prisoners;<sup>4</sup> yesterday when we was in pursuit of general Skinner men a party of Refugees from Staten Iland in Boats Landed Near Shoal Harbour and took of 8 or ten Horses.<sup>5</sup> I am Sir your Humble Servant.

ASHER HOLMES

ALS, NN.

1. Gen. Abraham Skinner.
2. Skinner's objective was to capture cattle for the provisioning of men on thirteen British ships anchored off Sandy Hook. On Wednesday, June 20, Skinner led 1,200 Britons and 100 Hessians to Middletown, but the men did not land until early on the morning of June 21. The residents had seen the transports and fled with most of their livestock. For news of the enemy attack refer to Asher Holmes to WL, June 21, 1781 (NN), Nathaniel Heard to WL, June 22, 1781 (NN), and Jonathan Beatty to WL, June 22, 1781 (NN).
3. The British netted only twenty-five underfed head of cattle and forty or fifty sheep.
4. The British suffered ten casualties, of whom two were killed, one deserted, and the rest were reported missing. They were held off by 100 men. According to Loyalist William Smith, the absurdity of the British raid was heightened by the fact that the residents of Monmouth County were "friendly and sent every Thing they could spare to our Market" (Smith, *Historical Memoirs*, 2:424).
5. For recent British incursions in Bergen and Essex counties refer to J. Mauritsius Goetschius to WL, Mar. 12, 1781 (NN) and John Scudder to WL, Mar. 30, 1781 (NN).

From Sarah Jay

Madrid 24th. June 1781

My dear Papa,

I had the pleasure of writing you a long letter by Mr. Toscan & likewise sending you a duplicate of one which had been written a long

while ago.<sup>1</sup> I hope you will soon receive them as they may serve to show you that those sentiments of gratitude & esteem to which you are intitled from me have not been obliterated by absence. The reluctance I feel to lessen the satisfaction of my dear Papa, already sufficiently involv'd in cares, has prevented me from disclosing a circumstance from which we have receiv'd not a little distress. I scarcely know where or in what manner to introduce a subject which I could wish buried in eternal silence: but since justice to ourselves as well as duty to you requires it I will undertake the painful task.

You know my dear sir in what manner the prospects of both of your family & Mr. Jay's in respect of wealth have been destroyed by this war; that both you & Mr. Jay had disregarded all private considerations & intirely devoted yourselves to the service of the public. In the midst of the career you was elected Governor, Mr. Jay was appointed Minister; neither of these offices impeded your public services but rather prepar'd a prospect of more extensive usefulness: they were accordingly accepted. You resign'd the repose which you had long ardently wish'd; Mr. Jay consider'd in what manner he might render his appointment beneficial to his friends as well as serviceable to his Country: education so necessary to render men useful to Society being interrupted, he concluded to take his Nephew with him, that he might at the same time that he inspir'd him with patriotic sentiments ennoble him to render future services to his Country. My brother had received his education it's true, but Mr. Jay still thought Brockholst might derive advantages from making the voyage with us, for which purpose the consent of Congress & yourself was obtain'd, & Mr. Jay hop'd that the pleasure you relinquish'd, by giving us his company would be compensated for by the advantages Brockholst would receive by residing some time in Europe; as I've often heard Mr. Jay say that here he might perfect himself in two useful languages,<sup>2</sup> gain a knowledge of mankind, form useful connections, & at the same time make such a proficiency in the study of the Law as might ennoble him with a little practice on our return to make himself master of it if Congress should not choose to place him in a political line. But alas! instead of an affectionate & chearful Brother we too soon discover'd a discontent & disgust which astonish'd us. My brother's temper I always knew to be irritable to an unhappy excess; but I flatter'd my self that that generosity of disposition which I had remark'd with pleasure in our family, would secure us from impoliteness

except at times when his passions were not under the influence of his reason & which I would readily have pardon'd: but I was mistaken, a constant captiousness & sulkiness has without ceasing mark'd his conduct, & I'm sure that if you had been a witness of the forbearance that Mr. Jay has impos'd upon himself even when most insolently treated by him, you would not have been less surpris'd at his moderation or less wounded by the want of delicacy in B——t than myself: to confess the truth my feelings have been too much hurt always to admit concealment which has induc'd me two or three times to bring on an explanation, hoping that when he perceiv'd how much I was pain'd he would endeavor to cultivate a more happy disposition. But Mr. Jay always disapprov'd those éclaircissements in the presence of B——t as well as when we were in private telling me that his situation with respect to Brockholst was too delicate to admit of those remonstrances which friendship would justify & that he hop'd to conquer his disgusts by a repetition of good offices; but Mr. Jay was mistaken in his opinion of Brockholst, instead of being gain'd by gentleness the idea of his own importance rose with our condescension & he has twice or thrice threatened to return to America which Mr. Jay with uncommon meekness as often dissuaded him from. When he return'd from France we resolv'd to continue the utmost caution, & even to avoid such subjects of conversation if possible as might excite his captiousness not omitting our endeavours to please him. Unfortunately the other day ye Colonel & a young gentleman from France<sup>3</sup> who had din'd with us conversing on the manners of different Countries, the Colonel took occasion to be very severe on the Americans on the score of sobriety, adding that it was more rational to drink wine like the French with their dinner than to oblige their Guests to get Drunk after, as was the custom in England and America: the gentleman who had been educated in England Asked permission to assure him that that barbarous custom was at present abolish'd there, & I took the liberty of rescuing my country-men from the same disgrace; however, the Colonel did not relinquish his assertion but was polite enough to believe that I thought as I spoke since the ladies were excus'd from that ceremony—the gentlemen smiled & inquired if Congress gave into that fashion. Congress reply'd the Colonel I have seen them all drunk at a time. Colonel said I it may have happen'd that upon the celebration of our Independance or some other public festival those gentlemen have drank more freely than usual but surely you

would not infer from that, that it was a practice they were often guilty of. Oh Congress are like other men & the custom of getting drunk after dinner is general.

Soon after the two young gentlemen retir'd; and I observ'd to Mr. Jay that my brother's remarks upon Congress appear'd to me imprudent considering the Country we were in & that he himself was a servant of that Assembly, since such reflections might make deeper impressions than if dropt under other circumstances. He told me that his sentiments corresponded with mine upon that subject but that he fear'd to mention them lest he might provoke him, & that there was a probability the like conversation might not soon happen again. The next day I was amusing myself with drawing when the same gentleman came in to thank Mr. Jay for the permission he had obtain'd through him to reside at Toledo some time, adding that he should have fear'd to trouble him had he thought so much time & difficulty would have been necessary to acquire a permission that might be granted in a few hours, but these monarchical governments continued the gentleman choose sometimes to shew their power. Mr. Jay made the usual reply to the gentleman's Compliments but the Colonel took up the reflection upon these kind of governments & said that Congress exceeded them far, for that to his knowledge a person had been detain'd at Philadelphia three months to receive a pass-port from that Assembly after they resolv'd to grant him one. Ay but says that gentleman they ought to be excus'd from the consideration of the multiplicity of business that demands their attention. Mr. Jay with his ordinary good-humor, said they should at least be spar'd the censure of Americans & then as he had his hat in his hand when the gentleman came in, he recommended him to my attention & bid us good-morning.

The Colonel was displeas'd with that observation, & after Mr. Jay withdrew said that for his part he thought the Americans ought to speak their sentiments of Congress with the utmost freedom, that they were like other men, & he doubted not but that there were among them as great rascals as in other assemblies, & that indeed he knew some. I said that in America no ill could arise from scrutinizing their conduct, but that here as the independance of America had not been publicly acknowledged, we should be careful not to lessen the respectability of the representitives of our Country: some conversation pass'd on that subject in the course of which I could not forbear requesting that even

if he differ'd from me in opinion on that matter he would spare my feelings in future whether they arose from prejudice or esteem, promising likewise that I would observe silence on any one topic that would be disagreeable to him upon which his warmth increas'd & he declar'd he was sorry to find me so deficient in good sense, then turning to the stranger ask'd him to go with him to Mr. Carmichael's—he says the Colonel can abuse Congress tho' formerly a member of it & thank God! there we can say what we please.<sup>+</sup>

When Mr. Jay return'd I mention'd to him what had pass'd, he told me he fear'd I had been angry, since he had sometimes observ'd that when my brother was unpolite I appear'd too sensible of it. In the evening B. return'd from Mr. Carmichael's & after supper he told Mr. Jay that he had reflected on the conversation that had passed between Mrs. Jay & him & that he prefer'd going to America to remaining like a slave here. Mr. Jay endeavor'd to reason with him but that was in vain, & indeed some indecencies in B——'s conversation made me quite as angry as himself, which Mr. Jay perceiving, told us we were both too warm to be reasonable & advised the Colonel to go to bed & me to compose myself: I slept but little that night; the insinuation of slavery which the Colonel had dropt was an idea I could not account for as it was impossible to act with greater delicacy than Mr. Jay had observ'd towards him. From the time Mr. Jay's sallery commenced he allow'd the Colonel two hundred & fifty spanish dollars a year to furnish him with Clothes & pocket-money; his washing & mending being done in the family, & even chose that the money should pass thro' my hands to him to avoid giving rise to any disagreeable feelings that B—— might be sensible of upon those occasions. As to any restrictions upon his pleasures, there have been none; few persons in Madrid are less acquainted with the manner in which he spends his time than we are; he is studious I believe but we are both unacquainted with his studies, Mr. Jay's advice was never kindly taken by him, on the contrary Brockholst has not been sparing of his sarcasms on his brother for advising him to pay considerable attention to some particular books as preludes to the study of the Law: offering at the same time to send by the way of Holland for such Law-books as would have been necessary; but as B——t treated almost every thing recommended by Mr. Jay as unessential & frequently as ridiculous, that plan was not executed. Thus my dear Papa have I day after day experienc'd mortifications that can only be imagin'd by those

who have the welfare of a brother as much at heart as myself, who like me admire the tenderness & delicacy of a husband, & like me lament his endeavours for a brother's happiness repaid with hatred. But think not sir I ascribe the whole of my brother's conduct solely to the dictates of his own head or heart. No, there is another cause & one that has not given us less pain—Good God! papa so dearly as we love America! that all our unquiet should proceed from those who received their birth in that favor'd Country. My emotions are very great when I reflect upon the insidious & cruel manner in which Mr. Carmichael has treated Mr. Jay: the friendly part he has assumed while we were at Philadelphia was thrown aside soon after the Confederacy was dismantled,<sup>5</sup> & tho' the masque has at time been re-assum'd, the cloven foot was not conceal'd as formerly.<sup>6</sup> With this gentleman the Colonel has form'd the strictest intimacy, swallowing unwarily his artful baits: I soon perceiv'd the seeds of jealousy grow in the breast of Mr. Carmichael. He knew the reputation which you sustain'd in America & fear'd a rival in your son; he saw the strong attachment of Mr. Jay to the Colonel & likewise was sensible of his application & speedy attainment of the spanish language, he observ'd with pain that Mr. Jay was anxious for the advancement of my brother & employ'd him in copying for Congress, which increas'd his jealousy so much lest Congress by that should be reminded of him, that he could not conceal it, but told Mr. Jay in my presence, that it had so odd an appearance that a Member of Congress had inquir'd of him in a letter, the reason why the papers were not in his hand-writing? but for his part he said he suppos'd it arose from Mrs. Jay's desire of making the Colonel acquainted with business & of promoting him. A variety of circumstances too tedious to enumerate in a letter leave me not the smallest doubt that he has made B——t act a part so foreign to the welfare of himself & the interest of the family: I'll only mention one instance by which you may judge of B——t's devotion to him. Last summer Mr. Jay gave B——t a paper to copy, which not choosing Mr. C——l should be acquainted with, desir'd my brother, who had acted always as his private Secretary not to mention it to him, yet in a few days after he did, & Mr. C——l spoke to Mr. Jay about it & said he had it from the Colonel, shortly after I myself heard Mr. Carmichael apologizing to the Colonel for mentioning it, upon which the Colonel reply'd Oh, it's no matter, I'm glad of it such caution is all d——d nonsense. In short I'm well persuaded he had in the most artful endeavor'd all along to make Mr.

Jay & the Colonel dissatisfied with each other, which Tho' Mr. Jay saw thro' I'm sure the Colonel did not: I remember last fall Mr. C——l happen'd to be present when the Colonel in one of his ill-humours threaten'd to return to America. After B——t had withdrawn Mr. C——l said he was very sorry for what had pass'd; Mr. Jay said he was the more hurt by such conduct as he had a great affection for B——t. Upon which Mr. C——l reply'd that young folks would often abuse the affection their friends had for them, that he himself had done so when in Scotland with the uncle that brought him up, but that when the Colonel grew older he would know better. Mr. Jay thought that an extraordinary manner of apologizing for the Colonel who you know sir is no child, but seeing that those observations were rather calculated to irritate than to reconcile matters, determin'd to frustrate his unfriendly designs by behaving to B——t as if nothing happen'd. Though I'm well convinced that Mr. C——l for a long time fear'd a future rival in Brockholst & took immense pains to infuse into his mind discontents against Mr. Jay in order to make the stay of both of them in this Country disagreeable to themselves, yet I begin to suspect that having accomplished his aim on the part of B——t & not only made him an enemy to his brother, but also persuaded Brockholst to think that his own interest & his were united, he would rather the Colonel should stay here not only to trumpet him as is the present system, but also to lessen & behave rudely to Mr. Jay which B——t very frequently does even at our own table before company & that in the most indecent & unprovok'd maner, which Mr. C——l is not ignorant of, having been present more than once upon those occasions. Had I been in Mr. Jay's place I never could have observ'd such moderation & civility to that gentleman after being acquainted with his baseness as he has done, but if moderation & prudence are virtues I'm sure has enough of them. The subjects I've been oblig'd to dwell so long upon are so interesting that I know not where to stop; I would avoid a single hard reflection on B——t that was not necessarily occasioned by the justice due to ourselves; but I value your good opinion too much to be willing to forfeit it when I know that I have not ceas'd to deserve it. If the Almighty answers our wishes for the safe arrival of B——t in America, my breast will be compos'd, & I will continue to trust in his providence to be one day delivered from the snares with which we are beset by a designing man. Indeed were I not bless'd with confidence in Heaven I never could have

supported a cheerful disposition at such a distance from friends whose value is enhanc'd by the dangers that surround them, seperated from my son, depriv'd of a lovely daughter, distress'd by a mistaken brother, & convinc'd too late of the insincerity of a person I believ'd our friend, when already in a foreign Country: yet there is a sweet consolation in innocence which soothes the mind under every perplexity & prevents the most disagreeable circumstances from destroying our peace. Should my brother attempt to excuse his return with plausible reasons I wish they may be accepted, you cannot but see the disadvantage it would be to him should his conduct be scrutinized or exposed.<sup>7</sup>

I wish that when I write again to my dear papa a more agreeable subject may employ my pen; at present I'm sure we are both too much fatigued for you to read or me to write more than that I am with the greatest sincerity your affectionate daughter

SA. JAY

ALS, NNC. Published in Morris, *Unpublished Papers of John Jay*, 2:188–94.

1. Jean Toscan, French vice-consul in Boston, sailed for America in late April or May. No correspondence from Sarah Jay to WL has been found for this period. For Sarah's last known letter to WL refer to Sarah Livingston Jay to WL, Mar. 14, 1781 (NN), which has been published in Morris, *Unpublished Papers of John Jay*, 2:177–80. For information on Jean Toscan's departure and intentions refer to John Jay to WL, Apr. 25, 1781 (NNC).

2. During his sojourn in Spain, Brockholst studied both French and Spanish. See Henry Brockholst Livingston to WL, May 5, 1780, 3:373–75.

3. Probably John Vaughan, who was actually born in Boston. His father Samuel Vaughan was a friend of Benjamin Franklin, who provided John with letters of introduction for his journey to America through Madrid. Vaughan wanted Jay to administer to him an oath of allegiance to the United States so that he could enter freely into that country. Although Franklin had in several instances issued passports in the name of the United States, Jay, as minister abroad, did not feel he had that power. In addition, Jay believed that although a person might be a citizen of one of the United States, he could not conceive of him being a citizen of all the states, an honor he thought to be reserved for "servants" of Congress. While waiting for advice from Franklin on the matter, Jay helped Vaughan procure a passport to reside temporarily in Toledo. Refer to John Jay to Benjamin Franklin, May 31, 1781, in Morris, *Unpublished Papers of John Jay*, 79–82. Jay's confusion regarding the character of state versus continental citizenship reflected the absence of any clarification by Congress. After signing the Declaration of Independence, the separate states developed a variety of laws and qualifications for the naturalization of foreigners. New Jersey developed no specific naturalization policy and simply continued colonial practices. The suffrage law passed by New Jersey on July 2, 1776, declared that "all Inhabitants of this Colony of full age who are worth fifty pounds, Proclamation money, clear Estate in the same, and have resided with the county in which they claim a vote for 12 months immediately preceding the election, shall be entitled to vote. . . ." Individual states continued to naturalize foreigners well into the 1790's. Throughout this period the

idea developed that naturalized citizens became members of a larger community transcending state boundaries. The Articles of Confederation, ratified by the states by Mar. 21, 1781, specifically Article 4, first stated that citizenship conferred by a single state acquired a national dimension. Although the article undercut state sovereignty, nevertheless the primary allegiance of the citizen throughout the confederation period continued to be to the state. The concept of national citizenship was more firmly established by the Constitution of 1787, Article I, Sec. 8, Cl. 4, which granted to Congress the power to establish a uniform rule of naturalization throughout the United States. This power permitted Congress only to effect an administrative reform to standardize admission into state membership. The national character of citizenship was not established until the nineteenth century. Refer to N. J. Hist. Records Survey Program, Guide to Naturalization Records, 3.

4. William Carmichael.

5. The *Confederacy* was the ship on which the Jay party departed for Spain in October 1779. The ship was disabled at sea and the Jays transferred to a new ship at Martinique. See Sarah Jay to WL, Dec. 30, 1779, 3:285–88.

6. Friction occurred between Carmichael and Jay at the beginning of their mission because Jay believed Carmichael was assuming more authority than he had been allotted by Congress. Jay eventually became convinced that Carmichael was a spy. Refer to Silas Deane to John Jay, July 2, 1781, and Sept. 26, 1781, and John Jay to Silas Deane, Dec. 5, 1781, all in "Deane Papers," *N.Y. Historical Collections*, 22:444–46, 478–80, 549–50. Recent scholarship has tended to confirm Jay's suspicions of Carmichael. Refer to Samuel Flagg Bemis, "British Secret Service and the French-American Alliance," *American Historical Review*, 29 (April, 1924), 474–95; Cecil B. Currey, *Code No. 72, Ben Franklin's Patriot or Spy?* (Englewood Cliffs, N.J.: 1972), 111, 118–19, 123, 127; and Richard B. Morris, *Peacemakers*, (New York: 1965), 510, n. 58.

When Jay left Madrid for Paris in the spring of 1782, Carmichael became temporary chargé d'affaires in Spain and, in 1783, the first official representative to Spain. In 1794 he was recalled to the United States under suspicion, but died in Madrid before his departure.

7. The cover of this letter was endorsed by John Jay with the following notation: "N.B. The letter of which this is a copy was enclosed to Miss C. Livingston with an injunction not to deliver it unless Brockholst's misrepresentations to his Father should be such as in her opinion to render it absolutely necessary. N.B. It was never delivered to him, his confidence in him remaining undiminished."

## Petition of the Inhabitants of Bergen County

Clooster, Bergen County. June 26. 1781

May it Plase your Excellency

The Unhappy Condition, of our friends in General on the East side of Hakensack River Urges us Humbly to lay our Greavences before your Honour. Harvest is at Hand, and there is no Gaurd at all on the East side of Hakensack River, the Refugees are Continually in the

Clooster Mountains lurking about to steal our Property, and Persons.<sup>1</sup> Yesterday they took the Horses out the Plow from Henry Blinkerhoff himself accidentally made his Escape last night they stole five Horses from Henry Nagel.<sup>2</sup> We have no help at all from the years men, they Gaurd at Hakensack and very little at the New Bridge, we are in a Dangerous Position. Cheef of Clooster Peoples Harvest lays near the Mountains, for the verasity of what we Intent we refer your Excellency to the Representatives of this County and Humbly Begg the favour of Having a small Gaurd. Called by Classes out the Militia to Gaurd our Dangerous frontiers and we your Humble Petitioners shall for ever Pray.<sup>3</sup>

By a Request of the Frindly Inhabitants In General on the East side of Hakensack River in Bergen County.

PETRUS HARING  
 J.M. GOETICHIUS  
 ABRAHAM HARING  
 JOHN [HUYLER]  
 THOMAS BLANCK

DS, NN.

1. The Loyalist refugees had been a persistent problem in the Ramapo Mountain region of northeast New Jersey since 1777.

2. For a description of the activities of horse thieves and efforts to apprehend them see Silas Condict to WL, July 20, 1781. For rewards offered for the capture of horse thieves see WL, Proclamation, Aug. 8, 1781.

3. In response to the Bergen County petition, the Privy Council on June 27, 1781, ordered a militia muster (*NJA* [Privy Council], 3d ser., 1:201).

## Instructions to Privateer Owners and Captains

[June 27, 1781]

Instructions to the Commanders of Guard-boats, coasting vessels & other vessels of war commissioned pursuant to an Act of the Legislature of this State entitled an "Act authorizing the Governor to grant commissions for guard-boats & coasting vessels" passed the twenty seventh day of June one thousand seven hundred & eighty one, viz.<sup>1</sup>

1. You may by force of arms, attack subdue & take all ships boats or other vessels belonging to the Crown of Great Britain or any of the Subjects thereof, on the high seas,<sup>2</sup> or between high & low water marks

(except such Ships & vessels as are bringing persons with intent to settle & reside within the United States); which you shall suffer to pass unmolested, the commander thereof permitting a peaceable search, & giving satisfactory information [of] the contents of the ladings & destination of the voyage and you may also annoy the Enemy by all means in your power by land as well as by water, taking care not to infringe or violate the Laws of Nations, or the laws of neutrality.

2d. You are to pay a sacred regard to the rights of neutral powers and the usage and custom of civilized nations, and under no pretence whatever, presume to take or seize any ship or vessels belonging to the subjects of Princes or powers in alliance with these United States, except they are employ[ed] in carrying contraband goods or soldiers to our Enemies & in such case you are to conform to the Stipulations contained in the Treaties Subsisting between such Princes or Powers & these States; And you are not to capture seize or plunder any ships or vessels of our enemies being under the protection of neutral coasts nations or princes, under the pains and penalties expressed in a proclamation issued by Congress the ninth day of May anno domini one thousand seven hundred & seventy eight.

3d. You shall bring such ships boats & other vessels as you shall take with their guns rigging tackle apparel furniture and ladings to some convenient port or posts, that proceedings may thereupon by a Court of Admiralty<sup>3</sup> be had in form of Law, concerning such captures.

4th. You shall send the Master or Pilot and one or more principal person or persons of the company of every ship, boat or vessel by you taken in such ship boat or vessel as soon after the capture as may be, to be by the judge or judges of such court as aforesaid examined upon Oath, & to make answer to such Interrogatories as may be propounded touching the interest or property of the ship boat or vessel & her lading; and at the same time you shall deliver or cause to be delivered to the judge or judges all passes seabriefs charter parties bills of lading cockets,<sup>4</sup> & other documents & writings found on board, proving the said papers by the affidavit of yourself or some other person present at the capture, to be produced as they were received without fraud addition subduction or embezzlement.

5th. You shall keep & preserve every ship boat or vessel & cargo by you taken until they shall by sentence of the Court aforesaid be adjudged lawful prize or acquitted, not selling spoiling waisting or dimin-

ishing the same; or breaking the bulk<sup>s</sup> thereof, nor suffer any such thing to be done.

6th. If you or any of your officers or crew shall in cold blood kill or maim or by torture or otherwise cruelly inhumanly & contrary to common usage & the practice of civilized nations in war treat any person or persons surprized in the ship boat or vessel you shall take, the offender shall be severely punished.

7. You shall by all convenient opportunities send to the Governor or Commander in Chief of this State for the time being written Accounts of the captures you shall make with the number & names of the captives & intelligence of what may occur or be discovered concerning the designs of the Enemy, & the destinations motions & operations of their fleets & armies.

8th. You shall not ransom or discharge any prisoners or captives, but you are to take the utmost care to bring them into port, & if from any necessity you be obliged to dismiss any prisoners at sea you shall on your return from your cruize may report thereof on oath to the Judge of the Admiralty of this State or of the State in which you may arrive within twenty days after your arrival with your reasons for such dismissal, and you are to deliver at your expence, or the expence of your owners the prisoners you shall bring into port to a commissary of Prisoners nearest the place of their landing.

9th. You shall observe all such farther Instructions as the Governor & Privy Council shall hereafter give in the promises when you shall have notice thereof.

10. If you shall do any thing contrary to these Instructions or to others hereafter given as aforesaid or willingly suffer such thing to be done, you shall not only forfeit your commission, & be liable to an action for breach of the condition of your bond, but be responsible to the party aggrieved for damages sustained by such mal[ . . . ]

AD, MHi.

1. See *Acts* (May 24– June 28, 1781), 113–15. For a recent request for a privateering commission see William C. Houston to WL, June 13, 1781.

2. More than two thousand privately owned vessels were commissioned by the states or Congress during the war. Seamen were attracted to privateering by the expectation of fast profits, but depleted the pool of men available for the regular navy. American privateers were a nuisance to the British navy, but lacked the unity of purpose, discipline, and effectiveness of a professional fighting force. New Jersey's commission followed the format suggested to Congress by the Admiralty Board (*JCC*, 16:403–9).

3. For the establishment of vice-admiralty courts in New Jersey see WL to John Henry Livingston, Sept. 29, 1778, 2, 450–51. According to a congressional resolution of Jan. 15, 1780, all maritime appeals from state courts were to be heard by a high court composed of three judges, appointed and commissioned by Congress.

4. cocket: a customs house seal issued to merchants.

5. breaking the bulk: illegally opening the cargo of a captured prize ship.

## To Asher Holmes

Princeton 27th June 1781

Sir

In Consequence of a Law passed this day<sup>1</sup> you are Required to Call forth half a Class or the Sixteenth Man, from the Several Companies of your Regiment to be Officered with a Lieut. and a Suitable Number of Noncommissioned Officers who are to join Similar Detachments from other Counties, to be in Service three Months. If the first Men of Each Class Whose Tour it is to Turn Out do Not you will Order your Captains to Continue Calling Untill half a Class are procured and to Fine According to Law those who Shall Refuse. They are to Receive three Shilling per Day and be exempted for Nine Months After the Expiration of their Service from their Monthly Tour of Duty. You Will order them to Rendezvous at Morris Town on the Fifteenth Day of July Next or as Soon thereafter as possible there to Receive Farther Orders From Col. Seely or the Officer Haveing the Command. I am Sir your Humble Servant

WIL. LIVINGSTON

Lcy, DNA:RG93.

1. On June 4, 1781, a bill entitled “An Act for Embodying for a limited Time, five hundred of the Militia of this State, and for the Purposes therein mentioned” was initially read. The assembly passed the bill on June 8, 1781, but the council rejected it on June 19, 1781. That same day a message from WL with a letter from Washington was read with the militia bill. Washington asked for 250 militia in addition to the number requested in his May 27 letter. Refer to George Washington to WL, June 15, 1781 (NN). On June 25, 1781, the committee drafted “An Act for embodying, for a limited Time, seven hundred and fifty of the Militia of this State, and for other Purposes therein mentioned.” On June 27, 1781, the legislature passed “An Act to authorize the Governor or Commander in Chief of this State for the Time being to call out a Part of the Militia of this State and to Continue them in Service for three Months” (*General Assembly* [May 15–June 28, 1781], 24–26, 28, 31, 36–37, 39, 52, 53, 54, 61, 63, 64, 67, 69, 98, 100; *Legislative Council* [May 15–Oct. 6, 1781], 33; *Acts* [May 24–June 28, 1781], 112).

## To George Washington

Princeton 27th June 1781

Dear Sir

It gives me great pain that I have not been able to answer your Excellency's several Letters of the 27th of May & 15th June<sup>1</sup> till this moment having ever since waited with great impatience for the passing of the Bill respecting your requisition of the 750 militia to co-operate with the regular Troops for 3 months, which did not pass till this day.<sup>2</sup> I have issued the necessary orders, & directed the men to rendezvous at Morris town the 15th of July or as soon after as possible.<sup>3</sup>

Colonel Seely is appointed to command the detachment.<sup>4</sup>

The Legislature have directed our Contractors to use the utmost dispatch in forwarding the Provisions, & passed an Act for completing our Brigade, (of the efficacy of which, I confess I have no great Expectations). But they have not vested the Executive with any powers during the recess of the Assembly to comply with any farther requisitions for men, provisions, or transportation.

They will adjourn to morrow, after which your Excellency will be pleased to direct to me at Trenton. I have the honour to be with the highest esteem Dear Sir your Excellency's most obedient & very humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. See George Washington to WL, May 27, 1781, and refer to George Washington to WL, June 15, 1781 (NN).

2. Washington had requested five hundred men on May 27 and 250 on June 15 for an intended attack on New York. For the assembly act see WL to Asher Holmes, June 27, 1781.

3. On June 27, 1781, the Privy Council authorized WL to call out the required men (*NJA* [Privy Council], 3d ser., 1:201–2).

4. Silvanus Seely was offered the command. His subordinate officers were Lt. Col. George Ely, Maj. William Crane, Maj. Samuel Growendyck, and Maj. Clarkson Edgar. Col. Oakey Hoagland was to be offered the command if Seely declined. See WL to Asher Holmes, June 27, 1781, and *NJA* (Privy Council), 3d ser., 1:202.

## To the Board of War

Trenton 7 July 1781

Gentlemen.

I last night received a letter from the Board of War dated of the 5 Instant inclosing a Copy of the Post Master Generals letter<sup>1</sup> to them respecting an escort for the post Riders on such parts of the Road as are exposed to the interruptions of the Enemy with a Resolution of Congress of the 19 Instant<sup>2</sup> and an Extract of a letter from the Commander in Chief<sup>3</sup> on the same Subject and requesting me to furnish four Militia Horsemen to pass and repass between Pompton and [Kemp Ferry] as a Guard to the Post Riders.

From the frequent interruption which the Post Rider has lately met with from the Enemy it is undoubtedly prudent to provide him with a Guard in future [to] convey all dispatches of importance by Express for which the Enemy is not like to lay in wait but I am not authorized to order our State dragoons on any such Service and if they engage in it as Volunteers the Board have forgot to take the least Notice in their letters to me of a very material [point] of General Washingtons letter to them that an adequate compensation for their Services should be allowed.

Lcy, DNA:PCC.

1. Letters not found.

2. The post rider had recently been captured by the British. On June 19, 1781, Congress passed a resolution to replace the rider and to then hire escorts to protect him on the most dangerous part of the journey from Fishkill to Morristown (*JCC*, 20:678).

3. Washington's letter to the Board of War has not been found. In a June 6 letter to the president of Congress, Samuel Huntington, Washington voiced his reluctance to send letters from his camp in New Windsor to Philadelphia by post because of the danger of interception (Fitzpatrick, *Writings of Washington*, 22:168-69).

## To George Washington

Trenton 8 July 1781

Dear Sir

Part of Capt. Carle's<sup>1</sup> Troops of our Hunterdon light horse to the amount of about 25 have just now sent me an offer to turn out as volunteers to proffer your Excellency their Service during the operations in contemplation,<sup>2</sup> with a horse or Infantry as your Excellency shall chuse proposing in case you might prefer the latter to carry a waggon with their [ . . . ]. All that discourages them is the difficulty of subsisting themselves & horses to & from Camp, on which Subject they begged me to write to your Excellency, & on your order [for] [such] subsistence they will immediately set out for Camp.

I have the honour to be with the greatest Esteem Dear Sir your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Israel Carle.
2. For Washington's proposed attack on New York see WL to George Washington, June 27, 1781.

## From Aaron Hankinson

Sussex July 12th 1781

By order of a Late Act<sup>1</sup> I am To Send a general Return of the State of my Batalion By the first of july but not having an Oppertunety [Since I?] have been somthing falty I pray the Governor to Excuse my not being Sooner (wood) inform the Governer by his orders we where to Rase three men out of Every Company for the frontiers of Sussex which Orders we have Complid with and have Rasd 29 out of 36 the Last account I had from the Capt. possible there may be more have joynd Since and by a Late Law we are to Rase Every 16 Teenth man Sir I have issued my orders to the Several Cpts but am fearful the men will not be got. Wood inform his Excellency there has been Several

morders Committed Latly over the mountain by the Savedges<sup>2</sup> they Came to the house of one [ . . . ] Steel<sup>3</sup> and Cortrile which they Took of after Traveling Some Distance the said [ . . . ] being Somthing Old and a noted Torey the Endians Kild and Scalp him Our people took there tracks followed them about 20 miles Came up with them Kild one Endian wounded two more Released Steal and Cort[ . . . ] and took all this Bagage from them another party Since Came to the house of John Larner Kild said Larner his Son his Sons wife and a Small Child another Son of said Larners hearing the firing Came to there assistance Six Endians fired at him but through favour they mist him he made the house he then Returnd a Shot and Lukkely Shot one through the Calabass<sup>4</sup> they then posted foot. I am Dear Sir your most abediant and very Humble Servant

AARON HANKINSON

ALS, NN.

1. For previous reference to the assembly act to raise 750 militiamen in New Jersey see WL to George Washington, June 27, 1781.

2. During the 1781 campaign, 2,945 British-allied Iroquois and Algonkian harassed American frontier settlements and scored unsettling victories in New York, New Jersey, and Pennsylvania. One of the first attacks in New Jersey occurred in Chatham on May 25 when two Loyalists led the warriors to the town (*NJA* [Newspaper Extracts], 5:252).

3. Perhaps William Steele, a Loyalist who was arrested in September 1781 for carrying news of American military maneuvers to the British (*NJA* [Newspaper Extracts], 5:296).

4. calabash: a hard shelled gourd used as an eating utensil.

### From George Washington

Head Quarters near Dobbs Ferry 13 July 1781

Dear Sir

I am just now honored with your Excellencys Favor of the 8th instant,<sup>1</sup> informing me of the offer of a Number of Volunteer Horsemen from your State.

I applaud Sir! this Spirit, which gives me much Satisfaction in its Contemplation. The Gentlemen deserve my best Thanks for their Tenders of Service; which I beg leave to present to them thro' the Hands of your Excellency.

We are at present so much Superior in Cavalry, by the Arrival of the

Legion of Lauzun, & a very good Corps under Colonel Sheldon, that I have not Need of any more Troops of that Establishment.<sup>2</sup> It being also probable that the Gentlemen, in the Course of our Operations, may be very usefull by joining a Body of Troops, which it may be found expedient to form in your State; I think it not best to draw them on this Side of the River—but hope they will be so good as to reverse themselves for any Operations which may be comenced on your Side.

I will be obliged if your Excellency will be pleased to inform me the Progress that is made under your late Law for filling your Continental Battalions.<sup>3</sup> I am anxious on this Head, as I view it an Object of the greatest Importance—an Object, which if compleated, would [in] great Measure prevent the Necessity of calling for other Assistance. I have the Honor to be with great Esteem & Consideration Your Excellencys Most Obedient & most humble Servant

G. WASHINGTON

LS, NN.

1. See WL to George Washington, July 8, 1781.

2. French and American troops had gathered at Dobbs Ferry in early July for a joint attack on British forts on Manhattan and on DeLancey's Corps at Morrisania. Armand Louis de Gontaut Biron, duc de Lauzun, was in command of his own Legion, as well as troops under the command of Col. Elisha Sheldon and Brig. Gen. David Waterbury. Lauzun's forces were to attack Morrisania while Gen. Benjamin Lincoln's forces attacked the Manhattan forts. Lauzun abandoned his plan when he received word Lincoln had been attacked. After going to his aid, the combined forces retreated (Fitzpatrick, *Writings of Washington*, 22:293–94, 304, 324–25, 329–31).

3. For New Jersey's difficulties in meeting quotas see WL to George Washington, June 27, 1781.

### From Silas Condict

Morris Town 20th July 1781

Dear Sir

We have direct information from N. York & Staten Island, The trade of Horse stealing flourishes amazingly, and I think it adviseable and for the good of the State to offer a pretty hansome reward for apprehending [ . . . ] Caleb Sweasy Isaac Sweasy Nathan Horten junior James Oharra John Moody:<sup>1</sup> and there is one Gibertson from Monmouth whose Christian name I am not certain of, but think it is gisburt, and there is

also a certain Burney,<sup>2</sup> who passed a large quantity of Counterfeit Money near Pluckamin & was persued by Colonel Berry into Pennsylvania and John Eveson, who was condemned at Newark and Pardoned by the Governor & Council, who are all with a number more carrying on the business with too great success, and I think we ought to give encouragement to Such as may take pains to apprehend them, for without it they are not like to be taken Capt. Arnolds compliments to you etc.

Colonel Seely was with Me to day he tells Me he has about 100 Men Collected the most of them belong to this County only 8 from Somerset and about as many from Hunterdon & about 18 from Essex none as yet from any other County. The Colonel is at a loss to know what he is to do for Staff officers.<sup>3</sup> I told him I thought there was none appointed he therefore concludes to appoint them himself, if his numbers increase so as to make it necessary, unless you can direct him better; there is not other Field officer here but himself, he has received no orders as yet, nor has he made Returns of his Men because so few has arived. I am Sir your Most obedient Humble Servant

SILAS CONDICT

P.S. If your Excellency Should call a Privy Council I beg leave to Suggest the propriety of removing the year[s] Men from Essex entirely and I think the whole had better be ordered to join Colonel Seely, but as to those in Monmouth I am not So Sure but they may be of Some use but in Essex I am well Satisfyed they are of no other use than to protect the Trade which they constantly do and I believe the most of them are Interested in it themselves.

S.C.

ALS, NN.

1. No direct information has been found, but newspapers reported at least seven instances of stolen horses between Jan. 1 and July 20, 1781 (*NJA* [Newspaper Extracts], 5:158, 169, 181, 197, 205, 256, 274).

2. Thomas Burney was arrested for passing counterfeit bills. See WL to the Assembly, Mar. 6, 1780, 3:314–15.

3. Refer to Col. Silvanus Seely to WL, July 20, 1781 (NN), for confirmation of the problems caused by militia failures to muster. On Aug. 2, 1781, the Privy Council ordered three regiments from Essex County stationed at Elizabethtown to join Col. Seely at Morristown (*NJA* [Privy Council], 3d ser., 1:205).

## To George Washington

20 July 1781

Dear Sir

I have received your Excellency's Favour of the 13th instant,<sup>1</sup> & shall acquaint the horsemen with your Excellency's Sentiments concerning their offer.

Respecting the progress that is made under our late Law for filling up our continental Battalions, I not able to give your Excellency any information, as no returns of the Levies are made to me; but I have reason to believe from the Enquiries I have made that the business goes on very slowly. I have the honour to be with the greatest respect Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. See George Washington to WL, July 13, 1781.

## From Robert Taylor

Egg Harbour July 22d, 1781

His Excellency William Livingston Esq. Governor and Commander in Chief in & for the State Of New Jersey. Sir

Your Excellencies letter dated June 27th at Princeton, with your orders, in Conjunction with your Council, to the Commanding Officer of the Egg Harbour Regiment,<sup>1</sup> I did not receive before the 8 Ultimo, when they were delivered me by Colonel Richard Summers, later of this place.<sup>2</sup>

In consequence of your Excellencys directions I immediately called a meeting of the Captains of each Company, and read the requisition for furnishing such a quota of men, for three months service.

They one and all agreed to make use of every Exertion in their power to Comply with the Laws and this day a number of them real Friends to their Country met at my house, and some of the Gentlemen who had

been so lately plundered, requesting of me to write to your Excellency & Council to omit the calling out their Quota of Troops, which I believe will be hard to be got,<sup>1</sup> as none but our best men will turn out and that they think a hardship as there will be so few men left behind to Prevent any excursion the refugees might make by water, without there was a Command of men to assist they virtuous left behind; making this remark that the disaffected woud all pay their Fines,<sup>4</sup> and if they had any chance those Families whose husband[s] or Friends were gone woud be the First sufferers; Colonel Eljah Clarks Brother waits on you with this and I onely wait your Excellencys answer For the Fulfilling of the Laws.

Our situation here I can assure your Excellency is so very Critical that in Behalf of my country I coud wish something coud be done for Our Protection. I have the Honor to be with Perfect Respect Your Excellencies Obedient Servant

ROBT TAYLOR

ALS, NN.

1. On June 27, 1781, WL and the Privy Council ordered a half class from each regiment to Morristown by July 15, 1781 (*NJA* [Privy Council], 3d ser., 1:201–2). See also WL to George Washington, June 27, 1781.

2. Probably Richard Somers, colonel of the Gloucester County Militia.

3. For background on the New Jersey act see WL to George Washington, June 27, 1781, and refer to “Petition to Colonel Taylor from Davis Clark and others,” July 21, 1781 (NN), complaining about service in other counties.

4. For previous correspondence relating to militia fines see Thomas Reynolds to WL, Sept. 1, 1780.

### To William Greene

Trenton 23d July 1781

Sir

I take the Liberty to inclose a Counterfeit Eight dollar Bill of the Massachussts State money, that your Excellency may adopt such measures to prevent their circulation in your State, as you may think most proper.<sup>1</sup>

The most striking & conspicuous dissimilarity between the counterfeit & true Bills is in the S in the word dollars at the top of the former, the bottom of which is less than the top.

I have the honour to be with the greatest Esteem your Excellency's most obedient and very humble Servant

WIL: LIVINGSTON

P.S. I find since finishing this Letter that I have already inclosed all the Counterfeits I had to the Governors of the Eastern States & New York. However without one of the Bills, this notification may have its use.

ALS, RA.

1. On the prevalence of counterfeit bills and their effect on inflation see "Scipio," Oct. 25, 1780.

From Jonas Ward

Elizabeth Town Head Quarters July 30th 1781

Sir,

I take the liberty of acquainting you with our Situation at this Post<sup>1</sup> that I may have the Benefit of your Advice how to act, and that I may clear myself and the other Officers from all Blame of Carelessness or Misconduct. We have time after time applied to the Contractors for Provision for the Men, but it has been all in vain, nor have we the least Prospect of being better supplied for the future. The Soldiers under my Command have done their duty much better than could have been expected, considering they are without Provision and without Pay<sup>2</sup>—they have now all left me, but it is with assurances that they will cheerfully return to their duty whenever they can have Provison. The other Officers of this Post as well as myself are now obliged to do the duty of the Men and to keep Guard Ourselves. I beg your Excellency to advise me how to act and what to do we shall wait here for the return of the Horseman who carries this, in hopes your Excellency may direct us to follow some means that may put us in a better Situation than we are at pre[sent]. I am Sir Your humble Servant

JONAS WARD

ALS, NN.

1. For previous comment on the difficulty of raising the militia in Essex County see Jonas Ward to WL, Mar. 28, 1781.

2. For a discussion of the lack of pay refer to Samuel Carhart to WL, Apr. 1, 1781

(NN) and John Scudder to WL, Apr. 3, 1781 (NN). For provisioning difficulties refer to Joseph Harker to WL, Mar. 29, 1781 (NN).

### From George Washington

*Dobbs Ferry, August 2, 1781.* The militia reinforcements from New Jersey which were expected July 15th have not yet arrived.<sup>1</sup> Some of the recruits left Morris Town because of lack of food. Only three men have enlisted in the continental forces in the last month.<sup>2</sup> The paucity of recruits is embarrassing since the American and French forces have been united for three weeks in anticipation of a joint campaign,<sup>3</sup> as he and the French commanders planned during May at Wethersfield.<sup>4</sup> The lack of forces may cause the abandonment of attack plans<sup>5</sup> and might encourage the British to move their troops from the south to New York.<sup>6</sup> Wishes to be kept informed as to the number of recruits.

In a postscript, Washington notes that Col. Silvanus Seely informs him that the men had not deserted and 157 militiamen were at Morris Town. He has ordered them to join the army at Dobbs Ferry.<sup>7</sup>

LS, NN.

1. For background on the efforts of the New Jersey militia and legislature to comply with Washington's order, see Aaron Hankinson to WL, July 12, 1781.

2. Col. Elias Dayton had informed Washington of militia desertions. Washington promptly ordered Lt. Col. Silvanus Seely to march the remaining New Jersey militiamen to Dobbs Ferry (Fitzpatrick, *Writings of Washington*, 22:422–23).

3. On July 21, 1781, Washington, in an attempt to persuade French admiral de Grasse to sail for New York from the West Indies, told him French and American forces had rendezvoused ten miles north of the British fort on Manhattan Island and were preparing to attack. Washington informed de Grasse that there were 4400 men in the French army. The American army, he added, was as yet "small, but expected to be considerably augmented." The British, Washington estimated, had eight thousand troops in New York City protected by a naval force of only six men of war. In the event the attack on New York proved impracticable, Washington proposed the Chesapeake as an alternative theatre of operation (Fitzpatrick, *Writings of Washington*, 22:400–2).

4. Washington met with Comte de Rochambeau at Wethersfield, Conn., from May 21 to 25 to plan strategy for the summer campaign (Fitzpatrick, *Writings of Washington*, 22:103–13).

5. For an earlier unsuccessful attack on New York see George Washington to WL, July 13, 1781.

6. For American fears regarding the recall of British troops to New York from the south see George Washington to WL, May 27, 1781. For New Jersey's legislative response to Washington's order see WL to Asher Holmes, June 27, 1781.

7. Letter not found. Lt. Col. Silvanus Seely was probably responding to Washington's letter of July 27, 1781 (Fitzpatrick, *Writings of Washington*, 22:422–23).

## Proclamation

[August 8, 1781]

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,

A Proclamation.

WHEREAS it has been represented to me that the persons herein after mentioned have been guilty of atrocious offences,<sup>1</sup> and have committed divers robberies, thefts and other felonies in this state:— I have therefore thought fit, by and with the advice of the Honourable Privy Council of this state, to issue this proclamation, hereby promising the rewards herein mentioned to any person or persons who shall apprehend and secure in any gaol of this state, any or either of the following persons or offenders, to wit, Caleb Sweesy, James O'Harra, John Moody and Gysbert Gyberson,<sup>2</sup> the sum of TWO HUNDRED DOLLARS the bills of credit issued on the faith of this state.

*Given under my hand and seal at arms, at Trenton, the third day of August, in the year of our Lord one thousand seven hundred and eighty-one, and in the fifth year of the independence of America.*

WIL. LIVINGSTON.

By His Excellency's Command,

BOWES REED

*N.J. Gazette*, Aug. 8, 1781.

1. See Silas Condict to WL, July 20, 1780, for initial information on these men. The Privy Council authorized WL to issue the proclamation on Aug. 3, 1781 (*NJA* [Privy Council], 3d ser., 1:203).

2. The proclamation was reprinted in the *N.J. Gazette*, Oct. 17, 1781, with a correction. William Gyberson, not Gysbert Gyberson, was listed as a wanted man. Caleb Sweesy was apparently captured, though no records exist of this. He did escape from Monmouth County jail on Sept. 4, 1781 after conviction for counterfeiting. John Moody was captured in Philadelphia and executed on Nov. 21, 1781. His body was returned to

his family for burial in Egg Harbor, N.J. (*Royal Gazette*, Nov. 21, 1781). No information has been found on O'Harra's fate.

## To George Washington

Trenton 6 August 1781

Sir

I have just received your Excellency's Favour of the 2d instant,<sup>1</sup> and feel exceedingly for your Embarrassment. I am not only mortified as a Citizen of the Union at large: at every obstacle against your Excellency's operations; but greatly chagrined that this State in particular, considering my intimate connection with it, should, by contributing to such embarrassment, lose any part of the honour it may heretofore have acquired.<sup>2</sup>

I am greatly disappointed at the Militia's turning out so slowly as they do, upon an occasion that was always a favourite object with them.<sup>3</sup> Several reasons may however be assigned for this unexpected Event, of which the want of money is doubtless the principal.<sup>4</sup> Nor do I believe that the officers have exerted themselves with the vigour, that upon so important an occasion, might have reasonably been expected. I gave them such orders as would not have failed of producing the men had they been faithfully executed, as that of calling out one class after another till the Complement was raised.<sup>5</sup> In this Case the fines of the delinquents would have amounted to more than the Sum necessary for procuring volunteers and consequently a self-interest must have induced the men to hire the Levies in order to save their fines.

I have lately ordered the several Companies of the State Regiment stationed at Elizabeth Town and Newark to join Colonel Seely; & directed their post to be occupied by the Militia;<sup>6</sup> and your Excellency may depend upon my best Endeavours to get the men out as soon [as] possible, being fully sensible of the weight of the reasons you assign for the necessity of that measure; and sufficiently tired of the war to long most earnestly for an honourable Peace.

With respect to the number of continental Levies & Militia that have been forwarded, I cannot officially come to the Knowledge of the first as the returns [are?] not made to me; & respecting the last, Colonel Seely has [dis?]charged to inform your Excellency from time to time as

they join him.<sup>7</sup> I have the honour to be with the greatest regard your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. See George Washington to WL, Aug. 2, 1781.
2. Only sixty men had joined the New Jersey line in a six-month period (Fitzpatrick, *Writings of Washington*, 22:172–73). See also WL to George Washington, July 20, 1781.
3. For a report on the muster of the New Jersey militia see Silas Condict to WL, July 20, 1780.
4. For recent reports of continuing discontent among New Jersey soldiers see Elias Dayton to WL, June 11, 1781.
5. For background on the act authorizing WL to muster five hundred militiamen see WL to Asher Holmes, June 27, 1781, and n. 1.
6. For background on WL's orders see WL to George Washington, June 27, 1781. On Aug. 2, 1781, the Privy Council advised WL to order the companies under the commands of Capt. John Scudder, Jonas Ward, and Isaac Gillam and Lt. John Williams to join Seely at Morristown (*NJA* [Privy Council], 3d ser., 1:203).
7. Seely's letter to Washington has not been found, but he submitted a report sometime prior to August 2 that only 157 militiamen had been raised. See postscript, George Washington to WL, Aug. 2, 1781.

### From Silvanus Seely

Camp Dobbs Ferry 12th Aug. 1781

Sir

Yours of the 2nd I have received,<sup>1</sup> and in order to forward the four Companies mentioned I sent Major Crane<sup>2</sup> to March them on to Join me—& on the 10th he Join'd me at this Place.<sup>3</sup>

I have inclosed your Excellency a return of the four Companies and under it your Excellency has a return of the three months Men. The returns of Either of these are vastly short of the Number expected.<sup>4</sup> Major Crane informs me it was with the greatest Difficulty that he got those Men to March, however they are here, and if they do not do their duty now it will be my fault. We have nothing new in this Place. I therefore conclude and have the Honour to be Your Excellency's Most Obedient Servant,

SILV: SEELY

ALS, NN.

1. Letter not found, but see WL to George Washington, Aug. 6, 1781.
2. William Crane.

3. Washington ordered Seely to march the New Jersey militia and state troops to Dobbs Ferry on July 27, 1781 (Fitzpatrick, *Writings of Washington*, 22:422–23). See also George Washington to WL, Aug. 2, 1781.

4. The state regiment was to raise 820 men. See Samuel Carhart to WL, June 5, 1781, n. 1. The militia quota was set at five hundred by an act passed June 4, 1781. See WL to Asher Holmes, June 27, 1781.

### From Baron van der Capellen

Appeltern, August 15, 1781

Sir:

With reference to my previous dated Zwol, May 25, 1781,<sup>1</sup> I must offer Your Excellency some more lines. I spoke for several days with Mr. Jan de Neufuille, who is charged with the loans for Congress, about the means which one should employ to establish credit in our republic. The means are the same whether for the 13 states together or each individual state. He told us that there is no better way than to follow the example of other Powers, especially that of the Empress-Queen,<sup>2</sup> who knew how to get credit here in a skillful and well-considered manner. She sent whole shiploads of mercury from Trieste to Holland as a pledge for security. She left here [in Holland] heavy cargoes and high insurance for payment, to put the shipowners and insurers in a good humor and to give them material for discourse and investigation. The mercury was stored as security for 10 years while the first negotiated loan amounted to no more than the capital and interest. At first, notwithstanding all of this, nobody wanted to undertake the debentures so that one was obliged to borrow at 80 per cent. Gradually, nevertheless, they began to get in the mood, so that one could afterwards get as much money as one wished on the mercury, which still sat in the mines, sufficing that it be called a security.

Russia has also had the utmost trouble over borrowing and lending. We have seen the loans in that Empire, if I am well-informed, at 96 per cent, and they have only come down to the right price after the war.

Almost all Powers have experienced the same difficulties here, yet they did not consider it beneath their dignity to disarm the prejudices of our nation (which, more than any other, is prejudiced against everything new). Also, it is absolutely necessary in the initial negotiations to interest the underwriters with great profits. I therefore suggest that the Congress or the individual states, which seek money here, should fol-

low the example of the Empress-Queen and other loved ones, and to oblige themselves to send over annually as many products as are necessary for the security of capital and interest. One could, for example, open a small negotiation of a few tons of gold, and tie the proceeds of the exported products openly to a security for the same. I imagine that such a step would be the most effective to bring American paper currency into favor, and I take the liberty of recommending this plan to Your Excellency's serious attention. Nothing is so suitable to unite both countries, contrary to the will and hopes of their enemies, than the interest one has in the finances and commerce of the other. May the good Lord grant that the efforts for America and our republic to unite as sisters will succeed someday; and may the intentions of the traitors, who attempt to hinder such union, be frustrated.

For the details of the fight of our squadron under Rear-Admiral Zoutman against Admiral Parker,<sup>3</sup> Mr. Gillon<sup>4</sup> together with His Excellency shall be better able to report than I, finding myself at present in the provinces, far from news of the sea. All I know that is verifiable is that our side, with a small force of 7 very small ships, forced the English admiral, who had 9 large ships, to flee after a very bloody four-hour battle. There has not been any battle so fiercely fought in this war. Our people were enraged. Those who had a hand or foot shot off refused to be bandaged but rather remained at their positions by the cannons; had we only two more ships, Parker's squadron would either have been taken or destroyed. Our men, although almost so beyond hope that after the departure of the English they fired distress shots among themselves, nevertheless awaited the fleeing enemy on the battlefield for several more hours, but they, having the wind in the favor, had left. It is said that people using telescopes saw Admiral Parker's flagship lying surrounded by a multitude of sloops, so that it could be unloaded. This gives us hope that it shall be sunk. The English have loaded their cannons not only with bacon and pieces of iron, but even pepper, which the surgeons removed from wounds *en masse*. In the action with two frigates under Captains Melvill<sup>5</sup> and Oortkins<sup>6</sup> they shot glass. Meanwhile, Europe can see what a nation we still are and what we would be able to do if we were only permitted to send a fleet to sea, or be allowed to use the ships which we already have at this time.

I am spraying this letter with my tears and do not dare to confide anything more on paper. If the Union with its convoy gets safely across,

America shall have enough visual and verbal witnesses to our calamities, and its causes and creators.

Among the most ardent friends of America, I need not recommend my friend Jan Gabriel Tegelaar, a merchant from Amsterdam. Commodore Gillon shall be able to report to Your Excellency the incredible pain, trouble, vexations taken and suffered by him to get the Union outfitted against the tricks of a certain party. Mr. Tegelaar deserves the esteem and trust of America.

I have been for several days completely indisposed and, moreover, so very much preoccupied with affairs that I, who must write everything myself, have absolutely not had the time to share the contents of this with Governor Trumbull. Your Excellency will evidently desire me to do this and believe that I am with heart and soul, Your Excellency's most humble and obedient servant.

AL, NN. Published in *Brieven*, 255–58. Translation.

1. See Baron van der Capellen to WL, May 25, 1781.
2. Van der Capellen apparently refers to Maria Theresa, Empress of the Holy Roman Empire, who died in 1780.
3. On Aug. 3rd, 1781, Vice Adm. Hyde Parker was returning to England from the Baltic when he spotted the Dutch fleet under Rear Adm. J. A. Zoutman escorting a convoy near the Dogger Bank about sixty miles east of England in the North Sea. In the ensuing battle both sides inflicted damage on the other though the outward bound Dutch were forced to return to port. The English were immobilized by their heavily damaged ships and could not pursue. Both sides claimed victory.
4. Alexander Gillon.
5. Capt. Pieter Melvill.
6. Perhaps Capt. G. Oorthuijs.

### From Asher Randolph

Woodbridge August the 18, 1781

Sir

I Beg Leave to inform your Excellency that there is a Great Quantity of Counterfeit Money now passing in this State and fear Much Greater Quantities are passing in the Eastern States<sup>1</sup> & as I have from good authority Received information of one person going out of New York into the Eastern States with as Much as he Could purchase with four hundred guineas at New York Chiefly of Massetsets State Money.

Sir I take Liberty to Send to your Excellency Six Bills of counterfeit

Money of this State which has Directly Came from New York and from good authority I here that one person<sup>2</sup> has Sent to our Enemyes in this State to pass four thousand Pounds of Counterfeit Bills of this State which I fear is now in circulation the persons passing the Money is to have two and half per Sent from the Crown.

Sir I Beg Leave further to inform your Excellency there is To Many [ . . . ] practices Committed by the persons of this State in [purchasing?] and Driving Cattel upon the Lines under pretenc of Carting hay from the Salt Meadows and first agreeing with the Enemy to Come over by certain Signarles to take them of which is not in my power to prevent without further orders than I have at present.<sup>3</sup>

Therefore Beg your Excellencys advice<sup>4</sup> on the Subject for if this practice of driving Stock down to the Lines is not Stop allmost every fat yoke of Cattel will be Carried of to the Enemy and that very Sune for thirty yoke has Been Carried to the Enemy within one Month to my knowledge. I am Sir your Humble Servant

ASHER RANDOLPH

ALS, NN.

1. For previous correspondence on counterfeit bills see WL to William Greene, July 23, 1781. See examples of counterfeit currency and warning notices against accepting such currency in *N.J. Gazette*, Aug. 15 and 22, 1781.

2. Asher FitzRandolph was a militia captain and spy for the Americans who served as conduit between "W. D.," a New York City informant, and George Washington. See W. D. to Asher FitzRandolph, Apr. 14, 1781, discussing traders carrying secret information (DLC:GW, 3:1185, 1187).

3. Washington ordered the removal of cattle away from enemy lines on June 13, 1781. For horse stealing by refugees see Silas Condict to WL, July 20, 1781.

4. WL's answer not found.

### From George Washington

*King's Ferry, August 21, 1781.* The states have not fulfilled their troop requisitions, as set forth in his letter of May 24, 1781.<sup>1</sup> This and other considerations have caused him to change his attack plans. The fleet of Comte de Grasse, which carries a large body of troops, is sailing for the Chesapeake.<sup>2</sup> If Cornwallis stays in Virginia, he will have a chance to reduce British strength in the south.<sup>3</sup> These factors have caused him to abandon the plan to besiege Clinton in New York. Instead he will personally lead the American continental forces and the French army to

Virginia.<sup>4</sup> A small force of regular soldiers and militiamen, commanded by Maj. Gen. William Heath, will be left in the northeast to contain the British in New York. It is essential that New Jersey raise the five hundred militiamen requested because the large British military establishment in New York has been reinforced by additional German soldiers.<sup>5</sup> Washington believes the British plan to continue the war and advocates that American soldiers should serve for the duration of the war or for three-year enlistments.

ALS, NN.

1. Washington is probably referring to a letter to WL written May 27. See George Washington to WL, May 27, 1781.

2. De Grasse's fleet of twenty-nine men-of-war carrying over three thousand troops sailed for the Chesapeake from the West Indies on Aug. 3, 1781 (*Correspondence of General Washington and Comte de Grasse, Aug. 17, 1781–Nov. 4, 1781*, ed. Institut Francais de Washington [Wash.: 1931], 4).

3. During the spring of 1781 the British, although harried by the raids of Americans under the command of Brig. Gens. Nathanael Greene, Thomas Sumter, and Francis Marion and Lt. Col. Henry Lee, scored significant victories by Cornwallis at Guilford Court House on March 15 and by Lord Rawdon at Hobkirk's Hill on April 25. See Robert Livingston to WL, June 5, 1781. After the battle of Guilford Court House, Cornwallis marched his troops to Wilmington, N.C. Failing to find significant Loyalist support there, Cornwallis on April 25 led 1435 men out of Wilmington toward Virginia where the American army under Lafayette was protecting Richmond. When Cornwallis approached, Lafayette fled from Richmond to rendezvous with eight hundred Pennsylvania Continentals led by Brig. Gen. Anthony Wayne. After destroying American magazines and stores in the Richmond area, Cornwallis, on June 4, 1781, ordered Lt. Col. Banastre Tarleton's dragoons to attack the Virginia Assembly, which was meeting at Charlottesville. Tarleton terrorized the assemblymen, seized several representatives, and then advanced on Monticello in an attempt to capture Virginia's governor, Thomas Jefferson. The governor and his family escaped as Tarleton rode up the hill. Tarleton rejoined Cornwallis's main force and the British moved on to Williamsburg (Boyd, *Papers of Thomas Jefferson*, 6:84–85). On July 4, 1781, Cornwallis led his men to Jamestown and prepared to cross the James River. He first prepared a successful trap for Wayne, who, on July 6, 1781, at the Battle of Green Spring was deceived into believing Cornwallis's main army had already crossed the James. Wayne was beaten, suffering 145 casualties when his vanguard mistakenly struck the main body of Cornwallis's army. Wayne and Lafayette retreated and Cornwallis crossed the river to await orders from Clinton. The British commander in chief expected the Americans and French to attack New York City and initially ordered Cornwallis to dispatch men and equipment for its defense. On July 11, 1781, Clinton countermanded his own order and instead instructed Cornwallis to keep his army intact and build a fort to protect British shipping in the Chesapeake. Cornwallis chose York as the site of the fort and moved his men there on Aug. 2, 1781, to begin constructing fortifications.

4. Throughout July 1781 Washington had planned to attack the British in New York City. His determination wavered, however, when he was able to raise only six thousand of the ten thousand Continental soldiers he needed for the attack. For New Jersey's poor response to its army quota see WL to George Washington, Aug. 6, 1781. Washington

abandoned his plan in mid-August when he learned that the nine thousand British troops in New York City had been reinforced by three thousand German soldiers (Smith, *Historical Memoirs*, 1:429, 431). Even so, Washington might have persisted if assured of French naval support from Admiral de Grasse. On Aug. 14, 1781, Washington found that de Grasse was sailing for the Chesapeake. Washington urged Comte de Barras, in command of the French fleet at Newport, R.I., to join de Grasse's fleet at the Chesapeake and by Aug. 16, 1781, was making plans to provision the combined Franco-American army and transport it to that area. On Aug. 17, 1781, Washington recommended a route for the French army to follow through New Jersey and on Aug. 18, 1781, issued orders for the American army to march the next day. The target in the Chesapeake was the forces of Lord Cornwallis at Yorktown (Fitzpatrick, *Writings of Washington*, 23:1-2, 6-7, 11-12, 16-17).

5. For the most recent correspondence concerning the New Jersey militia see Silvanus Seely to WL, Aug. 12, 1781.

## To Sarah Jay

Trenton 21st August 1781

My dear Child

I have received your Letter of the 14th of March, & at the same time that of the 30th of December & read them with great pleasure.<sup>1</sup> Your description of Martinico is very lively & picturesque, & I dare say, drawn to the Life. Nor is your Account of the Armory at Aranjuez less entertaining especially as the curiosities there were altogether new to me.<sup>2</sup> Our political affairs have this Summer assumed a very favourable aspect. Mr. Robert Morris at the head of our finances, will it is hoped extricate us out of all the difficulties we laboured under for want of cash.<sup>3</sup> Our Success in the Southern States has been astonishing, the Enemy having lost all their possessions in South Carolina except Charlestown. In Georgia they are reduced to Savannah. In Maryland & Virginia the mighty parade of Cornwallis, is like to end like the fable of the Mountain which produced a Mouse. General Washington with the Troops of our allies is besieging New York & we hourly expect a french fleet to co-operate with him in the reduction of that metropolis.<sup>4</sup> If we succeed in this Enterprise, I think the British must abandon America, & Lord North may if he pleases, go & hang himself. If the Nation had any virtue remaining they would spare him that trouble.

It is so long since we have heard of the Saraghtoga that there is the greatest reason to believe that She is lost & that my poor John Lawrence is buried in the Ocean.<sup>5</sup> Alas how much misery is the Ambition of our

Tyrant capable of introducing into the world! Peter Jay came the other day with his Grand Mamma & met me at [?Town], where we spent 3 or 4 days. In crossing Raritan River, he was greatly delighted with the water & observed to your mother that the more we went abroad, the more we saw of the World. Remember me to Mr. Jay & Brockholst. I am your affectionate Father

WIL: LIVINGSTON

P.S. I have received one Letter from Brockholst dated, at L'Orient.

ALS, Royal Archives, Windsor Castle. Published in Morris, *Unpublished Papers of John Jay*, 2:199–200.

1. Refer to Sarah Livingston Jay to WL, Mar. 14, 1781 (Morris, *Unpublished Papers of John Jay*, 2:177–80). The letter of Dec. 30, 1780, has not been found.
2. In her letter of March 14, Sarah Jay described Aranjuez, one of four country seats of Charles III, king of Spain. WL apparently misread Sarah's letter, which indicates that the Armoury was in Madrid, not Aranjuez.
3. For Morris's activities as superintendent of finance see Robert Morris to WL, June 11, 1781.
4. For British military movements and Washington's maneuvers see George Washington to WL, Aug. 21, 1781.
5. See Catharine Livingston to WL, June 8, 1781.

### From Robert Watts

New York 21st: August 1781

Sir

Soon after I received your Excellencys Letter of 8th. February<sup>1</sup> I had an Opportunity of sending Capt: Kennedy<sup>2</sup> a Copy which I find by a Letter since from him that he had received.

I would have answered your Letter before but was apprehensive Capt. Kennedy or myself had been under some misapprehension as you ascribed the Proposition to that Cause.

For my part I could not conceive how any misapprehension could be with me, & was ignorant intirely as to the Matter respecting Capt. K.—but allways understood that he was considered by your Excellency “as an Officer of the King of Great Brittain that might be commanded on board his Fleet to act against the States of America”<sup>3</sup>—& that he was on that Account restricted to a parole, in which Situation your Excellency considers him 26th Aug. 1780,<sup>4</sup> and at the same time

adds “Respecting the [Captain?] Exchanged it is not in my Department & therefore I cannot say what the State will accept for him.”<sup>5</sup>

I have taken the Liberty to mention these Circumstances merely to fall in with your Excellencys desire to oblige Capt. K.—& will be obliged to you for your Assistance in forwarding an Exchange. From what Information I can get, the Officers of the Crown here are desirous to save Cap[?] [K . . . ] & if you could propose any Person you would wish to have Exchangd & that can be accepted for him, I should be very [happy?] to do any thing in my power to effect it.

It will give me pleasure to receive a Letter from you soon<sup>6</sup> & I do hope as it is your Excellencys inclination to oblige Capt. Kennedy you will find it in your power to gratify him in this Request. I am Your Excellencys Most Humble Servant,

ROBERT WATTS

ALS, NN.

1. Letter not found.
2. Capt. Archibald Kennedy, later duke of Cassilis.
3. Kennedy commanded a squadron of the Royal navy until 1765 (G. E. Cokayne, *The Complete Peerage* [1913], 3:80).
4. Livingston permitted Kennedy to return to England in 1780. Refer to William MacLeod to WL, Aug. 15, 1780 (NN), and see George Washington to Jedidiah Huntington, Apr. 10, 1780 (Fitzpatrick, *Writings of Washington*, 18:242–43).
5. For the official policy on prisoner exchange see WL to George Washington, Feb. 24, 1781.
6. Letter not found.

From James Moody

HUE and CRY  
TWO HUNDRED  
GUINEAS  
REWARD

August 25, 1781

Whereas a certain WILLIAM LIVINGSTON, Late an Attorney at Law, and now *A Lawless Usurper, and incorrigible Rebel*, stands convicted in the minds of all honest men, as well as in his own conscience, of many atrocious crimes and offences against God and the King, and

among many other treasonable practices, has lately, with malicious and murderous intention published a seditious advertisement in a rebel news-paper, offering a reward of what he calls Two Hundred State Dollars to an Assassin who shall take and deliver me, and three other Loyalists into the power of him the said William Livingston.<sup>1</sup>

I do therefore hereby promise to pay the sum of Two Hundred Guineas, *true money*,<sup>2</sup> to the person or persons who shall bring the said William Livingston *alive* into this city, and deliver him into the custody of Capt. Cunningham,<sup>3</sup> so that he may be duly lodged in the Provost, till the approaching extinction of the rebellion, then to be brought to trial for his numerous crimes and offences aforesaid. In the mean time, if his WHOLE person cannot be brought in, half the sum above specified will be paid for his

EARS and NOSE,

which are too well known, and too remarkable to be mistaken. Observe, however, that *his life* must not be attempted, because that would be to follow *his* example of exciting the villainous practice of *Assassination*,<sup>4</sup> and because his *death*, at present, would defraud *Jack Ketch* of a future perquisite.<sup>5</sup>

Given under my Hand and Seal at Arms, in New-York, this Twenty Third Day of August, 1781.

(*A stile which I have surely as much right to assume as William Livingston, or any other rebel usurper*)

J. MOODY

The several Printers on the continent are requested to insert the above in their newspapers.<sup>6</sup>

Rivington's *Royal Gazette*, Aug. 25, 1781.

1. See Proclamation of WL, Aug. 8, 1781, and Silas Condict to WL, July 20, 1781.
2. Specie or pound notes.
3. Capt. William Cunningham was provost marshal of prisoners in New York City.
4. James Moody is referring to the exchange between WL and Sir Henry Clinton, Apr. 15, 1779, and "Pluto" to WL, Apr. 17, 1779, 3:59–60.
5. Jack Ketch: the hangman or executioner.
6. Not reprinted in the *Pa. Packet*, the *Conn. Courant*, or the *N.J. Journal*.

## From Elias Boudinot

August 25th 1781

Dear Sir

I think it my Duty in every great national Question especially that are of general Importance & in which the Welfare of the union is concerned, to keep the Legislature informed of the proceedings in Congress and particularly of the Conduct of their Delegates that nothing of Consequence may be done by them contrary to the Sense of their Constituents. It would indeed be an advantageous Circumstance for the State, was a committee of Correspondence appointed in the recess of the Legislature, thro whom mutual Information might be kept up between the Delegates in Congress & the State.<sup>1</sup> Suffer me on this Occasion officially to trouble your Excellency with some late Transactions in Congress relating to the State of Vermont so called, in which I apprehend the united States are particularly interested, and which in the End are likely to involve the States in a civill war, and to beg your Excellency to lay the same before the Legislature at their next Meeting.<sup>2</sup> When I took my Seat in Congress last July,<sup>3</sup> I found that frequent Applications had been made to Congress by the States of New York & N. Hampshire in order to settle the Line between the two states on the West of Connecticut River—by which a Tract of Land of about 100 Miles, long & [5]0 broad claimed by the Inhabitants as an independent State, could be included in one or both of those States. The Inhabitants stiling themselves the State of Vermont made application to be recognized an Independant State & recieved into the Union, engaging to fulfill equal Duties to any State in the union agreeable to the Constitution. The States of New York & N. Hampshire insisted that this Tract of Country had been part of the one or both of those Colonies & still belong to one or both of them as States & therefore could not be dismembered by Congress. The People by their Agents insisted that they being oppressed by the late Colony of New York had opposed her Government previous to the Revolution. That they were the first to begin the Revolution that they took the fortress of Ticonderoga & Crown point.<sup>4</sup> That at the Revolution they were in a State of Nature & That

they then set up a new Government and have ever since been in the active Possession of Sovereign Power. That they have a Legislature have enacted Laws, erected Court of Justice, levied Men. That they have done their Part in the comon Cause. That they fought the Battle of Bennington<sup>5</sup> and finally that they would not submit the Question of their Independance to any Jurisdiction or Power on Earth and therefore protested against all Right in Congress to determine that Question but in case they were represented in that Body, they could submit to the Terms of the Confederation in every Point. Their Claim extended from the West of Connecticut River to a Line 20 Miles East of North River & from Massachusets South to north Latitude 45° North.<sup>6</sup> Congress had engaged to proceed to the Settlement of the Dispute on a certain Day, but finding the Matter of too serious a Nature to trifle with and that the consequences might involve the States in a bloody civil war of a very critical & important period and that on a Question whether the Inhabitants of said Territory should govern themselves or be governed by others against their will, and considering that all Government was for the happiness of the People, postponed this Question and so it remained in July last. About this Time Application was made to Congress by the Governor of N. Hampshire complaining of the Incroachment of those People & praying the Aid of Congress, this was committed with a former Report of a Committee to another Committee, who having fully considered the Matter & reported to Congress the whole was taken up in a new point of Light.<sup>7</sup>

Lcy, PHi.

1. There is no evidence that such a committee was formed at this time (*General Assembly* [Sept. 19–Oct. 6, 1781]; *Legislative Council* [May 15–Oct. 6, 1781]).

2. For background on WL's land interests in Vermont see John Witherspoon to WL, May 15, 1781.

3. On July 12, 1781, the New Jersey Legislature appointed Boudinot a delegate to Congress. He served until Nov. 5, 1782 (*JCC*, 21:777).

4. Ethan Allen and Benedict Arnold captured Fort Ticonderoga from the British on May 10, 1775. On May 12 the British fort at Crown Point surrendered to Allen's Green Mountain Boys. For background on Arnold's involvement in these expeditions see William C. Houston to WL, Sept. 27, 1780, n. 3.

5. Gen. John Stark's New Hampshire militia defeated the British at Bennington on Aug. 16, 1777. In recognition of the feat, Congress on Oct. 4, 1777, appointed Stark a brigadier general in the Continental army (*JCC*, 9:770–71).

6. The Vermont boundaries claimed in 1777 have remained substantially unchanged to the present. For specific congressional action on the Vermont boundaries see *JCC*, 21:887–92; 22:107–14.

7. On July 9, 1781, Congress read a June 20, 1781, letter from Meshech Weare, president of New Hampshire, written to state delegates concerning the unsettled New Hampshire grant claims. In a resolution on Aug. 7, 1781, Congress named a committee to confer with agents appointed by Vermont inhabitants, respecting their claims of independence and terms of admission into the Union. Agents of New Hampshire and New York were to be present at this conference. Additionally, Congress guaranteed New Hampshire and New York jurisdiction against encroachment by Vermont over lands outside its original claims. Having conferred with unofficial Vermont agents, Congress instructed the committee on Aug. 19, 1781, to confer with three agents bearing a commission from Vermont leader Thomas Chittenden. The agents were Jonas Fay, Ira Allen, and Bezaleel Woodward. The outcome of the conferences was a congressional resolution of Aug. 20, 1781, stipulating as “an indispensable preliminary” to the recognition of Vermont and its admission to the union, the explicit relinquishment of “all demands of lands or jurisdiction” outside certain defined boundaries (*JCC*, 20:732, 770–72; 21:823–25, 829–30, 836–39, 860, 875–76, 882–83, 886–88; Burnett, *Letters*, 6:20). Vermont was admitted into the union by an act of the federal congress of Mar. 4, 1791.

### To George Clinton

Trenton, 31st August 1781.

Dear Sir

I am just now honoured with your Excellency’s Letter of the 26th instant in favour of my granting a Passport to Mrs. Banker to go to New York upon private Business & to return into this State.<sup>1</sup>

I am confident I need use no Arguments with your Excellency of my readiness to pay the utmost attention to your Recommendations; & that nothing but my apprehensions of the ill consequences of the Precedent & my greater opportunities of knowing the political Character of the Lady could prevail upon me to submit to the mortification of disappointing her after being recommended by so respectable an Intercessor.

From the incredible Number of applicants to go into the Enemy’s lines on private business, some of whom made use of that pretence merely to deceive, & others who really had demands in New York, were constantly disappointed in their expectations of succeeding, I found it absolutely necessary to refuse all such applications, except as to those who previously furnished me with probable evidence that they would obtain their debts by going in person, & not without it.<sup>2</sup> And even to those of this Class who have been peculiarly distinguished for their disaffection to our Cause, & consequently entitled to no favour from Government, I have refused it by way of punishment for their malignity,

save only on the condition of not returning, which not favouring their treacherous designs, few of them have been willing to accept. My adherence to this Plan, has reduced those kind of Itinerants within proper bounds; & it is of the utmost importance to the public, that I do not deviate from this line of Conduct. The Lady in question has, during her residence with us, been always reputed a Tory. It is not clear to me that she has any private business at New York. If she has, her Interest with the British is, I doubt not, sufficient to have it transacted by her Friends, & her obtaining a pass would give Umbrage to hundreds of good and zealous Whigs in this State.

I have the honour to be with the greatest esteem Your Excellency's most obedient Servant

WIL: LIVINGSTON

ALS, N. Published in *Public Papers of George Clinton*, 7:279–80.

1. Mrs. Banker wished to go to New York to settle her husband's estate.
2. WL's practice was to refuse all such requests for passes. For one of the rare exceptions to this rule see Asher Holmes to WL, Feb. 9, 1781.

### To Samuel Blachley Webb

Trenton 31 August 1781

Sir

I just now received your Letter of this day's date inclosing one from Governor Clinton.<sup>1</sup>

As to my Sentiments respecting the obtaining a pass from the British for Mrs. Webb to go under the Sanction of a Flagg from Tom's river to Connecticut, it is a matter so much out of my department that I do not chuse to give any Opinion upon it. But as Mrs. Webbs health is in question, I will most chearfully give her a pass to go to any place in the Enemy's lines which the Physicians you mention, or any other Gentlemen eminent in the Profession shall certify to me, will in their Opinion, contribute to its restoration in preference to any place in our Oown lines.<sup>2</sup>

Mrs. Banker I cannot permit to go to New York consistent with my duty to the public, & my reasons for the refusal, I shall assign to Governor Clinton who is a Gentleman I would as soon oblige as any man in

the world, & who, I am persuaded will entirely acquiesce in the line of  
Conduct I observe upon these Occasions. I am Sir Your most humble  
Servant

WIL. LIVINGSTON

ALS, CrY.

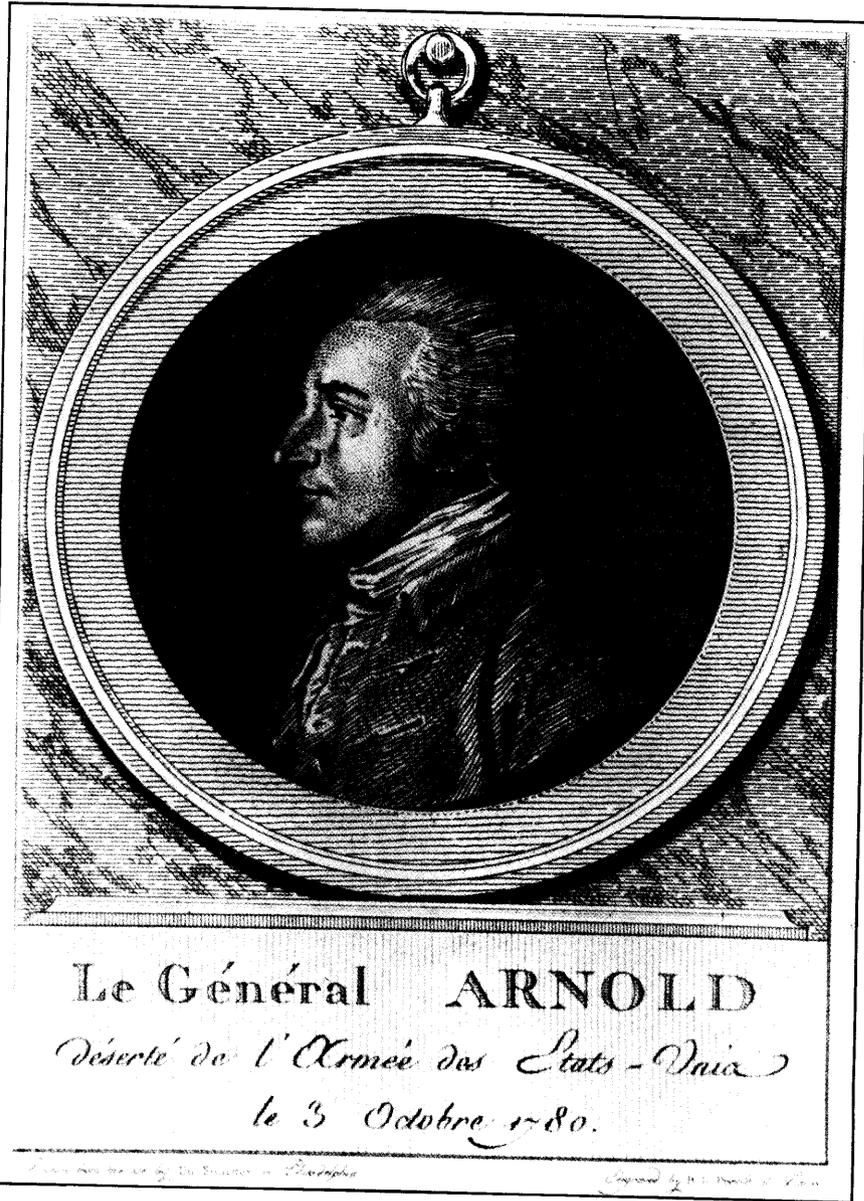
1. Letter not found.
2. Mrs. Webb, ill with consumption for four months, had been advised by her physicians to move to Connecticut. Refer to Samuel Blachley Webb to WL, Aug. 31, 1781 (NN).

# *Illustrations*





James Moody. Portrait by Robert Pollard. Courtesy of the New Jersey Historical Society, Edwin A. Ely Collection. Moody, the “terror of the rebels,” effected numerous rescues of Loyalists such as that of the condemned prisoner shown above.



Le Général ARNOLD

*Déserté de l'Armée des Etats-Unis*

*le 3 Octobre 1780.*

*Engraved by G. B. Smeath at Philadelphia*

*Copyright by H. S. Francis & Co.*

Benedict Arnold. Engraving by B. L. Prevost from a drawing by Pierre Du Simitière. Courtesy of the New-York Historical Society, New York City. The engraving depicts Arnold as he appeared at the time of his betrayal of the United States. Arnold scored significant military victories over the Americans before sailing for England.

John André. From the original painting by André, in the possession of J. W. Bouton, Esq., New York. Courtesy of the New-York Historical Society, New York City. André, who met Arnold in civilian dress, was convicted as a spy. He pleaded in vain that he be shot instead of hanged as a common criminal.





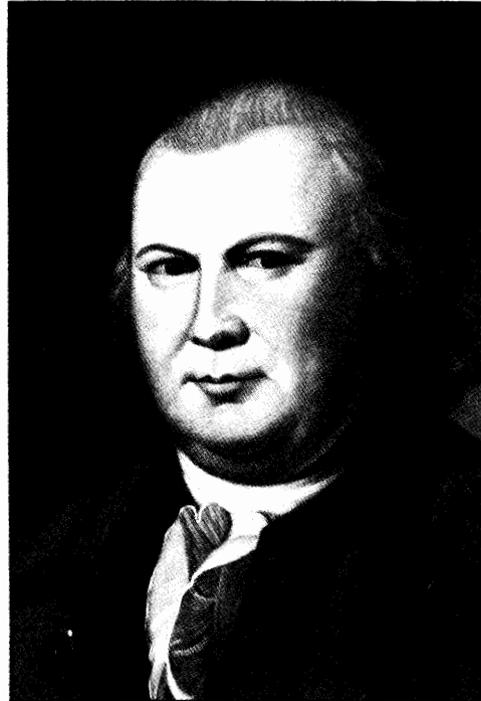
Sir Henry Clinton

Knight of the Bath & Commander in Chief in America

Sir Henry Clinton. Artist unknown. Courtesy of the New-York Historical Society, New York City. Clinton, born in Newfoundland, had a long career in North America, the highlight of which was the 1780 capture of Charleston. His last years as American commander in chief were marred by his bickering with his second in command, Lord Cornwallis.

Anthony Wayne. Portrait by John Trumbull. Courtesy of the Cincinnati Historical Society. Active throughout the war, Wayne particularly distinguished himself in military action in New Jersey, New York, and Virginia. In 1782–1783, he conducted a successful campaign against the Creek Indians in Georgia.

Robert Morris. Portrait by Charles Willson Peale. Courtesy of Independence National Historical Park Collection. A brilliant and innovative financier, Morris grew increasingly frustrated by the inability of Congress to raise funds. He resigned his post as superintendent of finance in September 1784.





*A Picturesque View of the State of the Nation for February 1778.*

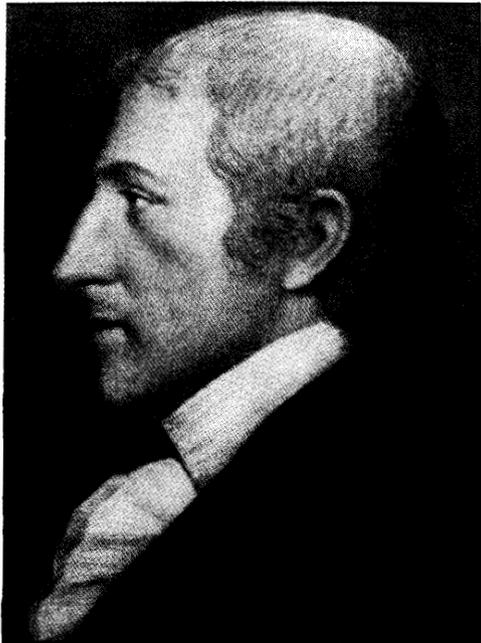


A Picturesque View of the State of the Nation for February 1778. Engraving in *Westminster Magazine*, February 1778. Courtesy of the Library of Congress. This 1778 English print depicts the American Congress as an Indian sawing off the horns of the cow which represents British trade. The cow is being milked by a Dutchman, while a Spaniard and Frenchman wait their turn. English frustration is epitomized by the sleeping lion being trampled by a tiny pug dog. The drunken Howe brothers can be seen in the background while Admiral Howe's flagship, the *Eagle*, is run aground.

Joseph Reed. Artist unknown. Courtesy of the Historical Society of Pennsylvania. Reed, formerly military secretary to Washington and adjutant-general of the Continental Army, was a participant in the battles of Brandywine, Germantown, and Monmouth. He served with distinction in both civil and military capacities during the war.

Henry Brockholst Livingston. Artist unknown. Courtesy of the New-York Historical Society, New York City. After completing his legal training, Brockholst went on to a successful career as a justice in both the New York and United States Supreme Courts.

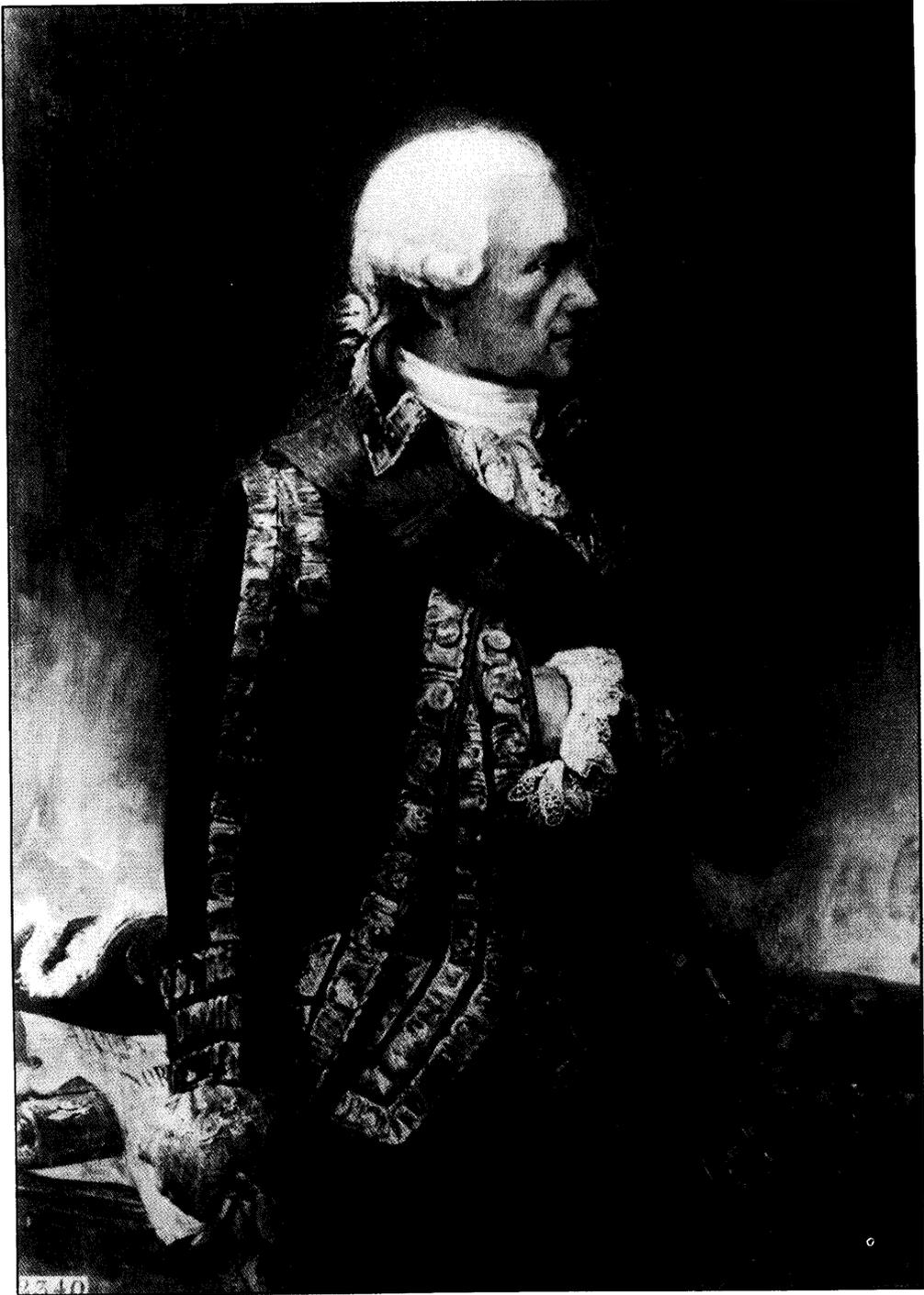
Silhouette of William Livingston. Cut by Peale's Museum. Courtesy of the New-York Historical Society, New York City.





Charles Earl Cornwallis. Portrait by Thomas Gainsborough (1783). Courtesy of the National Portrait Gallery, London. Cornwallis's defeat at Yorktown brought to an end the first British Empire, but the earl was instrumental in securing Britain's second empire, taking a command at Calcutta in 1786.

Comte de Rochambeau. Photograph of the original portrait by La Rivière in the museum at Versailles. Negative from the collection of John Ward Dunsmore. Courtesy of the New-York Historical Society, New York City. Rochambeau became a supporter of the French Revolution and in 1791 was named a marshal of France. He was arrested during the Reign of Terror but escaped execution.





George Washington and Generals at Yorktown. Painting by James Peale. Courtesy of the Colonial Williamsburg Foundation. To Washington's right is the Marquis de Lafayette, while behind the general is Benjamin Lincoln. To Washington's left are Rochambeau, the Marquis de Chastellux, and aide-de-camp Tench Tilghman.

Marquis de Lafayette. Portrait by Charles Willson Peale. Courtesy of the Independence National Historical Park Collection. At Yorktown Lafayette served as a commander in the American army. In 1805, President Thomas Jefferson offered an impoverished Lafayette the post of governor of Louisiana, which he declined. Lafayette returned to the United States in 1824 for a brief visit.





*Reynolds del.*

*Angus sculp.*

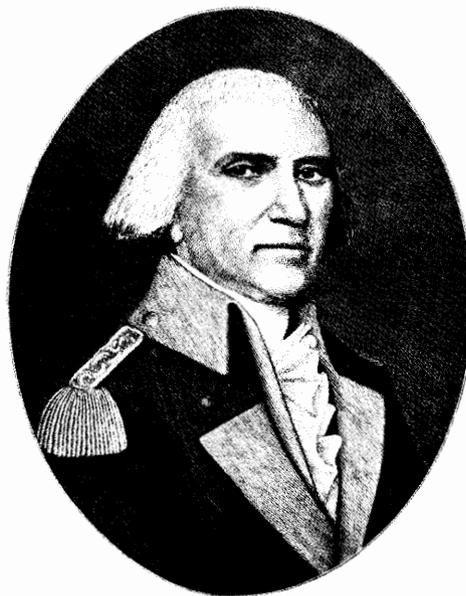
**GEORGE the III.**

*Published July 2, 1785, by I. Fielding Pater noster Row.*

George III. Engraving by I. Fielding (1785) of the Reynolds del Angus sculpture. Courtesy of the Library of Congress. In 1811, the unfortunate king, subject to periodic attacks of madness, became permanently deranged and blind.

Prince William Henry (William, duke of Clarence), serving on board the *Prince George*. Engraving by P. Page (1831) after a drawing by Benjamin West. Courtesy of the Bettmann Archive/BBC Hulton. The third son of George III, William Henry reigned as William IV from 1830 to 1837.

Elias Dayton. Artist unknown. Courtesy of the New Jersey Historical Society. Dayton, a former Elizabethtown storekeeper, had distinguished himself as a military leader during the war. His most recent military action prior to the Asgill affair was at Yorktown.



Sir Guy Carleton. Portrait by J. Walker. Courtesy of the Library of Congress. Carleton, who enjoyed a long and distinguished career in North America, returned to the continent again in 1786 as governor of Quebec.

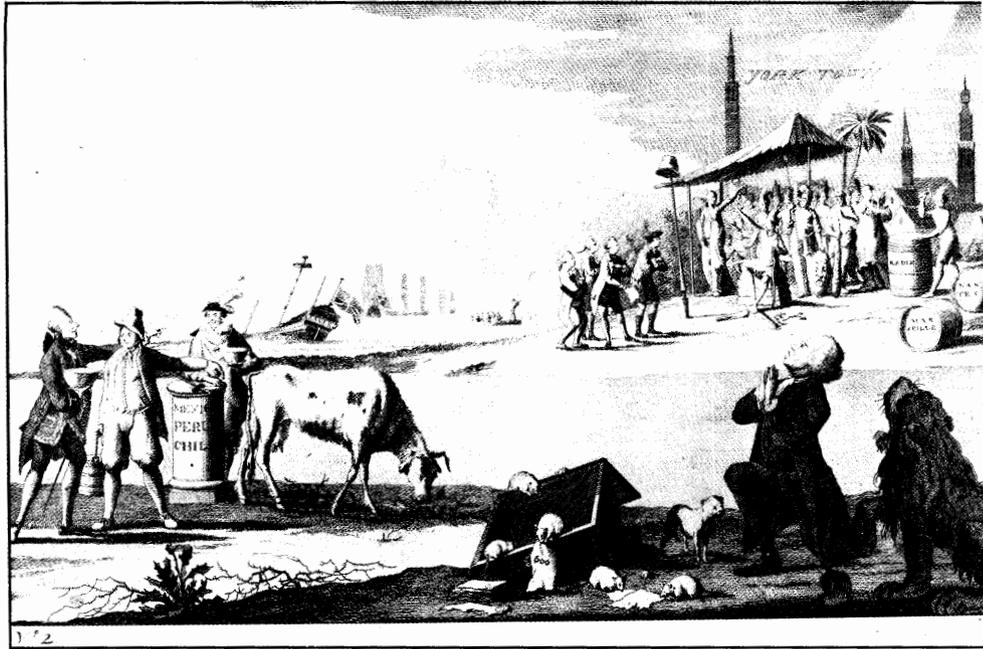
Comte de Vergennes. Portrait by Albert Rosenthal. Courtesy of the Independence National Historical Park Collection. When the United States began peace negotiations with Great Britain, the American commissioners decided to ignore their congressional instructions to confide in and be guided by Vergennes.

John Jay. Portrait begun by Gilbert Stuart and finished by John Trumbull. Courtesy of the National Portrait Gallery, Smithsonian Institution, Washington, D.C. Much of Jay's efforts during the negotiations were aimed at increasing United States trade with Great Britain and France.

Earl of Shelburne (William Fitzmaurice Petty). Engraving in the *Universal Magazine*, November 1782. Courtesy of the Library of Congress. Shelburne, a long-time critic of British colonial administration, was also contemptuous of Britain's internal politics. After the 1783 overthrow of his administration he retired from public life.







Yorktown. Engraving by a Dutch artist (1781). British Museum catalogue of political and personal satire, vol. 5, #5859. Courtesy of the Library of Congress. Cornwallis's defeat at Yorktown was rightly interpreted throughout Europe as being a blow to Britain's cause. This print, published in the Netherlands, shows in the right background four humble Englishmen approaching a seated Indian who symbolizes America, while other Indians prepare goods to be shipped to France. The disastrous effect on the British economy of increased trade between France and America is symbolized by the emaciated cow at left foreground.

# *The World Turned Upside Down*

*September 3, 1781—  
January 12, 1782*

*On Aug. 31, 1781, New York Loyalist William Smith wrote that the "News from Jersey last Evening [was] that at 3 this Morning the whole Rebel Army move[d] South, the Continentals in Van. The French in 3 columns from Paramus."*

*The American army and their French allies had been on the march since August 20. Both armies had been encamped near Hartford, Conn. From this city the American commander in chief, George Washington, had initially planned to launch an attack against the British in New York City and Staten Island in the summer. The success of the plan depended on the cooperation of the French fleet, with twenty warships carrying three thousand French soldiers. The French commander Rochambeau, who did not believe the allies would be successful in attacking New York, secretly wrote to the admiral of the fleet DeGrasse, giving him the option of sailing to the Chesapeake instead of New York. DeGrasse sailed for*

*Virginia. Washington, on hearing of DeGrasse's destination, abandoned his plan to attack New York City and decided to move the combined armies to Virginia. The target there was the British southern army under the command of the earl of Cornwallis.*

*Cornwallis, who assumed command of the southern army after the May 1780 reduction of Charleston, had, on his own initiative and against the orders of British commander in chief, Sir Henry Clinton, left that coastal city to conduct a war in the interior. His army, exhausted by combat, wearied by months of travel through the backwoods of Georgia and the Carolinas, and depleted by the guerilla attacks of American soldiers, finally reached Virginia in May 1781. Clinton, furious that Cornwallis had moved to Virginia without orders, ordered him to send most of his men to New York for the defense of that city. Cornwallis refused and claimed he needed all his men to de-*

send the base at Yorktown, which Clinton had ordered him to establish.

Clinton believed an American attack on New York was imminent because he had received intercepted correspondence between Washington and his subordinates outlining such a plan. When the French and American armies began to march on August 20, Clinton believed they were taking positions in New Jersey from which to move on Staten and Manhattan islands. His conviction was reinforced when Washington ordered that defense works be thrown up and bake ovens built as if in preparation for a siege. By the time the British realized the armies were en route to Virginia, DeGrasse's fleet had reached the Chesapeake and blockaded the James and York rivers. Cornwallis was trapped.

To the north, New Jersey was again the setting for a major troop movement. The American army, five thousand strong, marched through the state first. They were followed by more than five thousand French troops. The contrast presented by the two armies was astounding to observers. The ragtag and bobtail American soldiers were dressed in shabby uniforms, tattered and in need of mending. The French were immaculately attired in fresh white uniforms and marched smartly to the accompaniment of spirited military bands.

By August 29, the Americans reached Morristown and on August 30, were on the road to Trenton. On September 2, the Americans arrived in Philadelphia. The crowds cheered lustily but stopped when the soldiers' cries grew louder than theirs. The soldiers took advantage of their proximity to Congress and demanded they be

paid. Faced with a force it could not ignore, Congress acted quickly and authorized Superintendent of Finance Robert Morris to raise the money. Morris did so by borrowing \$20,000 from the French. The men were paid a month's wages and marched on. They were followed on September 4 by the French army, which was greeted with great enthusiasm by the Philadelphia crowds.

The armies were carried from Baltimore and Annapolis to the lower Chesapeake by DeGrasse's ships. At Yorktown sixteen thousand French and American troops, in the last traditional siege the world has seen, hemmed in Cornwallis's seven thousand men. The allied bombardment of Yorktown was constant, damaging, and unsettling. Cornwallis, thwarted in every plan to stage a counter-attack, soon realized that there was no escape without the assistance of the British navy. The fleet which might have saved Cornwallis was in New York for repairs following a September 5 battle with the French fleet under DeGrasse. Clinton prepared to send four thousand men to relieve Cornwallis, but the repairs on the fleet took far longer than anticipated. Although scheduled to sail on October 12, Smith reported that "one of the Ships [is] still without a Mast. . . ."

The British fleet put to sea on October 17. That same day Cornwallis asked for surrender terms and capitulated two days later. The news of the most significant victory of the American Revolution reached Philadelphia on October 24, when Washington's aide-de-camp, Tench Tilghman, arrived in the city at 3 A.M. The night watchman, on learning that Cornwallis had surrendered, broadcast

the news as he walked through the city's streets.

Philadelphians cheered, but the British and Loyalists in New York were deeply disturbed by the news, which most observers realized signalled the end of the war. On October 24 Smith reported that "A Hand Bill from Jersey of the Surrender of Lord Cornwallis" had been received and "shocks the Town." Smith could not bring himself to believe the report "but suspect an Artifice to prevent the Insurrection of the Loyalists or some Operations on our Part. . . ."

In Virginia, Cornwallis pleaded illness and did not attend the formal ceremonies marking the surrender of the garrison. As the band played "The World Turned Upside Down," the British soldiers marched out of Yorktown to lay down their weapons. It was indeed the world turned upside down, not only for the British soldiers at Yorktown, but for all Britons and Americans. Thirteen states, having rarely worked in unison in the past, lacking the support of a large percentage of their citizens, experimenting with a new government, and too poor to maintain an army properly, had with-

stood the greatest power in the world. Success would not have been possible without British ineptness and French assistance.

The Yorktown victory took the future of the United States out of the hands of the military men and put it in those of statesmen and bankers. European nations, who now believed the United States would endure, gained confidence that loans to the new nation would be repaid. This new attitude was reflected by France, which from the beginning of the war to 1781 had given the United States six million livres (\$2,852,000) in gifts and loans. After Yorktown, France's new optimism in America's future led them to underwrite a substantial Dutch loan to the United States of twenty million livres. In Holland, John Adams negotiated for additional funds and obtained five million guilders (about \$2 million) in the first Dutch loan. With an influx of money America's prospects brightened.

1. Smith, *Historical Memoirs*, 2: 435.
2. Smith, *Historical Memoirs*, 2: 457.
3. Smith, *Historical Memoirs*, 2: 461.

### From George Washington

*Philadelphia, September 3, 1781.* Informs WL that all the French troops and most of the American army are marching to Virginia.<sup>1</sup> Supplies are essential, as Robert Morris pointed out in a recent letter to the states.<sup>2</sup> Washington asks WL to inform him when New Jersey's supply quota will be available.<sup>3</sup>

Lcy, DLC:GW. Circular Letter sent to the governors of New Jersey, Delaware, and Maryland. Published in Fitzpatrick, *Writings of Washington*, 23:81–82.

1. The previous day the American troops had marched through Philadelphia demanding back pay. Washington, with congressional approval, promised all officers and men one month's pay, which Morris obtained as a loan from the French (Robert Morris to Philip Audibert, Sept. 4, 1781, and Sept. 6, 1781, Robert Morris to George Washington, Sept. 6, 1781, Ferguson, *The Papers of Robert Morris*, 2:180, 196–97, 200, 201n.). The treasury had also been enriched by a French loan of 2,500,000 livres, brought to the United States by John Laurens. For Laurens's appointment as special commissioner to France see WL to John Witherspoon, Dec. 28, 1780. Refer also to Burnett, *Letters*, 6:209, 216.

2. Refer to Robert Morris to WL, July 25, 1781 (Ferguson, *Papers of Robert Morris*, 1:380–83).

3. For Washington's most recent request for supplies from New Jersey see George Washington to WL, Aug. 21, 1781.

### From Abraham Skinner

Elizabeth Town Sept. 5th. 1781

Sir

I am happy in an opportunity of informing your Excellency that all Prisoners of War Citizens and Officers taken from the State of N. Jersey are now Exchanged, Some few (who the Enemy Claim as holding Military Rank) excepted, for those considered as belonging to the Continental Stock.<sup>1</sup>

By a late resolve of Congress All Prisoners taken by the Militia etc. of all the States, are to be exchanged by me, and a priority of Capture to govern;<sup>2</sup> I Shall therefore thank your Excellency to direct the several Militia Officers & Commanders of Whale Boats, to deliver their Prisoners to some Goal and Report them to me or one of my Deputies, and if possible to prevent their making partial Exchanges, in this Case every Prisoner taken from us will receive an equitable benefit, and justice can be done them; but if every Captor along the Coast, is to Exchange his own Prisoners my department must be deranged and the purposes of it frustrated, beside Sir it very frequently happens that improper indulgences are granted those Prisoners and Mischiefs will [arise?] that can be prevented. To shew your Excellency the propriety of my observation permit me to [ . . . ] the case of Colonel Lott<sup>3</sup> some time since taken by Capt. Hylar, who after he was reported to my Deputy & paroled by him for a [Mr?] Square, Mr. Hylar undertook to give Mr. Lott a Parole to Travel to the Attorney General's at Raritan, for some idle purpose & to return. The good people of the Neighbourhood were justly Inc[ensed] and Mr. Lott has had an opportunity of seeing and enquiring into matters that might as well been kept from his View, besides, the injury he has done to our Officers & other Prisoners on Long Island does not entitle him to the least favor. I have Exchanged him for a Number of our Prisoners and When they are all Released he will be sent into the Lines.

I am on my Way to Boston & shall on my return do myself the honor of waiting on you and explaining the mode in which our Jersey Prisoners are Exchanged, and point out to you the Objections against the release of some few that remain. I have the honor to be with great respect Your Excellency's Most Obedient Humble Servant

ABM. SKINNER

ALS, NN.

1. For Washington's policy regarding the exchange of civilian prisoners see WL to George Washington, Feb. 24, 1781.

2. Congress authorized Washington on Nov. 7, 1780, to effect exchanges through his appointed commissioner (*JCC*, 18:1028–30).

3. Loyalist Abraham Lott was captured from his New York City home by Hylar sometime in August 1781.

## To Joseph Reed

Trenton, 8 September, 1781

Sir,

I 'just this moment had the honour of receiving your Excellency's Letter of the 6th Instant,<sup>1</sup> informing me that from our present Situation with respect to the Enemy, your Council had ordered your Militia to be in readiness at a short warning, and taken such other measures as prudence dictates, & desiring me to give you as early communication as possible of the movements of the Enemy at New York, and especially such as denote an Incursion into this State, & that you will in that case be glad to give any assistance in your power in opposing the Enemy, or retarding their progress until superior aid can be afforded.

I think that under those probable circumstances of the Enemy's making a movement, which your Excellency mentions, your State has acted with its usual Wisdom in taking the above precautions, & making all the preparations necessary against such an Event; and I am much obliged to you for the promised assistance. Our Militia will have the like orders, & (The Intelligence I received this day, by Express, from Newark,<sup>2</sup> shows that such apprehensions are not groundless. The substance of that advice is, "that they had just received Intelligence from New York (which, says my correspondent, I think may be depended upon) that the enemy are embarking in good haste, & in great numbers, with a design to relieve Cornwallis, if possible. It is said (he adds,) & fully believed, that 6 or 7000 men are going, & that they are to land at Monmouth, & pass thro' this State."<sup>3</sup>

Unfortunately for us, Sir, the Agent lately sent by our Legislature to the Massachusetts to buy lead, is returned without any, so that we are destitute of Ammunition.<sup>4</sup> If your Commonwealth could possibly furnish us with a Quantity of Cartidges & some lead, & have it immediately sent to this place, with the Account, it will lay me under infinite obligations, & I will give a receipt for it, & apply to our Legislature for the payment, & should they not approve of the measure, of which, however, there is no reason to doubt, tho' I have no particular authority for that purpose, I will be personally responsible for the debt. I have

the honour to be, with the greatest Esteem, Your Excellency's most Obedient & very humble Servant,

WIL. LIVINGSTON

*Pa. Archives*, 1st ser., 9: 393.

1. Refer to Joseph Reed to WL, Sept. 6, 1781 (PHarII).

2. Letter not found.

3. Clinton had from sixteen to seventeen thousand troops in New York City. The naval force, under the command of Adm. Thomas Graves, had been reinforced by the fleet under the command of Rear Adm. Sir Samuel Hood. On Sept. 4, 1781, five vessels from Graves's fleet, and 1500 men under the command of Benedict Arnold, attacked New London. Graves, aware that Barras had sailed from Newport on August 26 to reconnoiter with de Grasse in the Chesapeake, set sail on August 31 with nineteen ships of the line. His intent was to intercept Barras's fleet before it joined that of de Grasse, who had arrived in the Chesapeake on August 30. On September 5 the British in New York began to embark five thousand soldiers on ships in both the Hudson and East rivers. Their destination was believed to be the Chesapeake (Smith, *Historical Memoirs*, 2:436, 438, 439).

4. For background on WL's efforts to buy ammunition see WL to George Washington, June 1, 1781.

### Petition of Peter Wilson and Note Attached of John Outwater

[New Barbadoes, September 8, 1781]

May it please your Excellency

The perilous Situation of the frontiers of this County has induced me to make this Application to your Excellency at the Request of the Inhabitants, that a part of the Militia of the State should be called out to the Assistance of the twelve Months Men stationed here for the defence of the County. This Measure has become the more necessary as the few Men who were raised for a Year are reduced in Number by Enlistments into the Continental Army. One hundred & twenty Men were designed for the Protection of this Frontier, not above one fourth Part of which are now on duty here, while Closter which is also very much exposed, is entirely open to the Depredations of the Refugees, who are indefatigable in making nocturnal Expeditions for Horses, Cattle, & Prisoners.<sup>1</sup> On the 9th. of August they carried off fourteen Prisoners & a very considerable Number of Cattle & Horses—the greater Part of the Stock they were obliged to quit, but the Prisoners were *safely* lodged in

the Sugar House, and on the 30th. ult. they made another Attempt upon this Quarter but were forced to leave all the Cattle & Horses they had taken, & in Spite of the Fire of their Gun-Boat, & Grape Shot to make a precipitate Retreat with the Loss of three men killed, & 6 or 7 wounded two of whom, one of them the Capt. of the Gun Boat, are since dead, some of the Others dangerously wounded, and one taken prisoner. Capt. Outwater who commanded the Year's Men & Militia of the Vicinity who turned out on the Instant, had one man wounded thro' the Thigh, & two others slightly scratched. A small party of them succeeded better at Closter last Wednesday night the 4th. Instant having carried off 10 head of Cattle & 4 Horses, & taken five white Men & a Negro prisoners. One Cole,<sup>2</sup> of the Militia of that Neighbourhood, & who had deserted to the Enemy a few days before was their Conductor.

The Militia of this County have done so great a Surplus of Military Duty that I could wish, if the Governor's Ideas coincide with mine, to have one Class from one of the Regiments of the County of Somerset, & one Class from this County called to our assistance, to be Stationed at this Place & at Closter. I am with the greatest Respect your Excellency's very humble Servant

PETER WILSON

[Bergen County, September 10, 1781]

I am Parsaonelly Acquainted With the General Desire of the Publick, In Regard to An Augmentation of the Guard, On this frontier, Your Excelency I Am Convinced, Wants No Information, In Regard to the Situation of this County from Your Parshaonel knowledge of the Strength of the De[ . . . ] under my Command, & Capt. Demarests<sup>3</sup> at the Bridges, You take the mater In Your Serius Consideration & Grant the Above Request. I Am With the Gratest Respect Your Excellency's most Obedient & Very Humble Servt.

JOHN OUTWATER

ALS, NN.

1. For a report of earlier Loyalist raids into Bergen County see Petition of the Inhabitants of Bergen County, June 26, 1781. British regulars, Loyalists, and refugees not only attacked and looted Bergen County towns through the spring and summer of 1781, but in May had established a blockhouse at Fort Lee. The Bergen County militia, under the command of Capt. John Outwater, had reduced the blockhouse even before receiving George Washington's orders to do so (Fitzpatrick, *Writings of Washington*, 22:94–95).

2. Probably Benjamin Cole, a private in Col. John Lamb's artillery of the Continental army, who had deserted prior to Sept. 4, 1781 (*NJA*, Newspaper Extracts, 5:294).
3. David Demarest.

### From John Witherspoon

Philadelphia September 11. 1781

Sir

Yesterday I was favoured with your Excellencys Letter<sup>1</sup> & that which you wrote to President Reed<sup>2</sup> was also laid before Congress. They came to Resolution which will be transmitted to you by the President.<sup>3</sup> We have no News from the Southward farther than what is already made public. There seems to be some Uncertainty in the taking of Lord Rawdon.<sup>4</sup> Neither the Marquis's<sup>5</sup> Letter to Congress nor the Count de Grasse's Letter to the Minister of France mention it but a Capt of a Flag who was aboard the french Admiral says it is true. We are somewhat anxious about Clintons Motions.<sup>6</sup> We have been alarmed this Morning with an Account that Arnold had burnt New London.<sup>7</sup> I shall be obliged to return the End of this Week or beginning of the next to prepare for Commencement & then shall expect Mr. Houston down at least for a few Days. I am your Excellencys most obedient & humble Servant

JNO WITHERSPOON

ALS, NN.

1. Letter not found.
2. See WL to Joseph Reed, Sept. 8, 1781.
3. The president of Congress was Thomas McKean. On September 10 Congress resolved to recommend that New Jersey and Pennsylvania raise three thousand men each (*JCC*, 21:947).
4. Rawdon, en route to England, had been taken prisoner by de Grasse and carried with the French fleet to the Chesapeake.
5. Probably the marquis Francois de Barbé Marbois.
6. For Clinton's activities see WL to Joseph Reed, Sept. 8, 1781, n. 3.
7. Arnold and his men landed in New London on September 6 and dispatched parties to take Forts Trumbull and Griswold. Fort Trumbull quickly surrendered, but the garrison at Fort Griswold resisted. After surrendering, the men were slaughtered by the British. Arnold easily took the town and then ordered a dozen ships burnt, including a ship loaded with ammunition. When the powder exploded, the fire spread to the town and New London was levelled.

## To Joseph Reed

Trenton, 14 September, 1781.

Sir,

I have received your Excellency's favour of the 11th instant,<sup>1</sup> & at the same time the 300,636 cartridges furnished us by the Board of War. I cannot refrain from expressing my warmest acknowledgements to your Excellency for your Exertions to procure it from that quarter when it could not be had of your State, a mode I think more eligible than the other even could your Commonwealth have furnished it, but which did not occur to me at the time.

Clinton has a large number of Troops on Staten Island; & Colonel Seely commanding our three months men at Connecticut farms writes me,<sup>2</sup> "that the Enemy are all on the move, & according to the best accounts that he can get, a great number of them already embarked, & a considerable number of flat-bottomed boats are got & getting ready, but that their destination is unknown. He adds, "Sir Harry told a person if I am rightly informed, that he would not suffer the Troops to move until he knew the Event of the Fleet,<sup>3</sup> & that he would wait until Arnold returned from the Eastward."<sup>4</sup>

With respect to the Scoundrel *last aforesaid mentioned*, (I have just received a verbal confirmation by some travellers from the Eastward of his having burnt New London, & killed 80 of the Inhabitants, 76 of whom were bayoneted in cold blood—that his horse was shot under him, & his servant killed next to his side.)<sup>5</sup> I believe he is not born to die in battle himself, but in Pomphiot's words, "to grace the gibbet & adorn the string."<sup>6</sup>

If the 500 Troops your Excellency mentions should be ordered this way,<sup>7</sup> I hope they will encamp in the County of Bucks in preference to that of Burlington till there is a necessity for them to march farther eastward. I have the honor to be with the greatest Esteem, your Excellency's most humble Servant,

WIL. LIVINGSTON

*Pa. Archives*, 1st ser., 9:404.

1. Refer to Joseph Reed to WL, Sept. 11, 1781 (NN). Reed regretted his inability to furnish WL with ammunition but informed him that the Board of War would ship him cartridges and musket balls.

2. Letter not found.

3. Graves's fleet passed within the capes of the Chesapeake on September 5 to find de Grasse's fleet already there. The admiral had landed three thousand French West Indian troops at Jamestown to support Lafayette. The fleets avoided an all-out confrontation but engaged in several isolated forays in which the French suffered 220 casualties and the English 336. Graves, after hearing of the arrival of Barras's fleet, returned to New York on September 10, leaving the French fleet with thirty-five ships of the line in command of the Chesapeake and Cornwallis at Yorktown blocked off from British aid from the sea. On September 14 Washington and Rochambeau reached Lafayette's headquarters outside of Yorktown (Smith, *Historical Memoirs*, 2:444, 445). For previous mention of the British fleet see WL to Joseph Reed, Sept. 8, 1781.

4. Arnold returned to New York on September 12 (Smith, *Historical Memoirs*, 2:441).

5. For an account of Arnold's raid see John Witherspoon to WL, Sept. 11, 1781, n. 7.

6. The poet is John Pomfret (1667–1702) and the quotation is a loose recollection from "Cruelty and Lust": "Does not that wretch, who would dethrone the king, / Become the gibbet, and adorn the string?" (*The Works of the English Poets from Chaucer to Cowper*, preface Dr. Samuel Johnson, 21 vols. [London: 1810], 8:323).

7. Reed had informed WL that five hundred Pennsylvanians were ready to march south.

## To William Heath

Trenton 15 September 1781

Sir

I have received your Favour of the 4th instant; and was before the receipt of it, honoured with a Letter from General Washington acquainting me that upon his going to the Southward, the Command of the Army to the Northward had devolved upon you.<sup>1</sup>

I hope with you Sir, that the Army you command is sufficient to secure the important Posts in the highlands, and with the exertions of the neighbouring States, in a good degree to check the Excursions of the Enemy from New York.

By the last returns I had of what we call our three months men, I doubt not the five hundred are by this time complete.<sup>2</sup> They are under the Command of Colonel Sylvanus Seely, whose head quarters are at Connecticut Farms about four miles from Elizabeth Town, & about seven from Staten Island. From there he keeps constant out posts &

pickets along the lines to prevent the Incursions of the Enemy, & to suppress the illicit infernal trade that is carried on with them.<sup>3</sup> He cannot I think be more advantageous[ly?] posted *in* any part of this State for either of those purposes; and we should be very unhappy to think that he should be ordered *out* of it, not only because the men were expressly [raised] upon General Washington's Requisition grounded upon his professed design to attack New York, but also because not being able to complete our quota from the militia, I ordered several Companies of our State Regiment then on those lines, & raised for the very purpose of defending our Frontiers, to join him; & which accordingly now make a considerable part of his corps.<sup>4</sup> While they remain on their present Station, they will I hope, prove sufficient to repel any Excursions made by the Enemy's partizan parties; & that you will in case of greater force, endeavour on seasonable notice to succour & support the militia according to your kind promise, for which I acknowledge myself under the greatest obligations to you.

Should Cornwallis experience the fate of Burgoyne, of which his Lordship has a very fair prospect, it is probable that Clinton will endeavour to procure some Splendor by the blaze of houses, & the stealing of forage, of which this State, from its vicinity to the Enemy, is the most likely to feel the effects; but should he penetrate the Country, & discover the least disposition to make a settlement, we shall then hope Sir, as far as circumstances will allow, for your assistance in compelling him to change his quarters. I have the honour to be with great Esteem Sir your most humble Servant

WIL: LIVINGSTON

ALS, MHi.

1. See George Washington to WL, Aug. 21, 1781, and refer to William Heath to WL, Sept. 4, 1781 (NN).

2. For earlier difficulties in mustering the New Jersey militia see George Washington to WL, Aug. 21, 1781.

3. For illegal trade see Asher Randolph to WL, Aug. 18, 1781.

4. The men were ordered to join Washington in August. See WL to George Washington, Aug. 6, 1781. The remainder of New Jersey's militia was ordered by Gen. Philemon Dickinson to prepare to march at short notice (*NJA* [Newspaper Extracts], 5:292).

## To Philip Hoffman

Trenton 15 Sept. 1781

Dear Philly

I am very sorry to hear of your Mamma's<sup>1</sup> illness & wish it was in my power to oblige her by giving a passport to Mrs. Ogden<sup>2</sup> to come from New York to pay her a visit, but from the present situation of our affairs when we expect every moment an Invasion by the Enemy it is utterly impossible for me in common fidelity to my Country to give the least Countenance to any Intercourse between this State & New York upon any private account whatever.<sup>3</sup>

LBC, MHi.

1. WL's sister Alida Hansen Hoffman.
2. Sarah Hoffman Ogden, Alida Hoffman's daughter.
3. For the most recent example of WL's reluctance to grant passes see WL to Samuel Blachley Webb, Aug. 31, 1781.

## From Henry Brockholst Livingston

St. Ildefonso 16 Sept: 1781

My dear Sir,

On the second of this month, if my memory serves me, I wrote letters to several of the family, & sent them to wait a passage at Cadiz.<sup>1</sup> By a letter which I received from Bordeaux,<sup>2</sup> I find there is a Vessel at that Port on the point of sailing for Philadelphia. Altho' nothing has occurred of any consequence since my last, I cannot prevail for myself to omit so good an opportunity to acquaint you of our welfare. Mamma, I know is but too apt to raise apprehensions about her absent friends, & I much hear that notwithstanding the frequency of our letters, she will think us remiss, & that we do not write as often as we ought.

Major Franks is with us.<sup>3</sup> He brought important dispatches from Congress of Mr. Morris. He will [pursue] his Journey in a few days to Paris. Mr. Jay has thought of accompanying him but is not yet [determined].<sup>4</sup>

In former Letters you have been informed of the Spanish Expedition against Port Mahon—<sup>5</sup> nothing decisive has yet been done in that quarter— altho' at the same time the success of our friends has equalled our warmest Expectations. The town, with many vessels, much provisions, has fallen into the Duke of Crillon's hands. Fort St. Philip still remains to be taken. It is a strong castle, but it must fall, if not succored, of which there is at present very little prospect. To hasten its reduction a reinforcement of 4,000 men is going from Toulon & another of 5,000 for Carthagene. These will complete an army of 20,000 troops, while the Garrison of the Castle falls short of 2,000. It will be an important conquest, & a loss heavily felt by England. Indeed I see nothing but losses which threaten our Enemies on every side. Their captures on the Dutch, with now & then some little [victories] in America may for a while keep their spirits afloat. But this delusion cannot last long. They have already reason to repent of their rupture with Holland. In a late action the marine of the republic shewed itself animated by that fire which rendered their ancestors invincible.<sup>6</sup> Admiral [Zoutman?] supported a long con[ . . . ] against great odds, & remained master of the Field. You will doubtless before this reaches you, have had the details of this action, by far the most brilliant of any which has taken place during the war. I will there[fore] forbear troubling you with a repetition of them.

Altho' the armed neutrality have not taken that decided part in favor of the Dutch which was expected, yet there can be no doubt that when the States become a little more unanimous, they will be a very considerable weight in the ballance against Great Britain.<sup>7</sup> Our enemies would wish to make Europe believe that she has great Expectations from the emperor, and from Russia. Is it probable that the former, altho' an ambitious and aspiring Prince, will plunge an empire, not yet recovered from the calamities of the last war, into fresh distress: for the very uncertain prospect of regaining some territory his ancestors lost?<sup>8</sup> Should he determine on this measure, will his old *friend* the king of Prussia remain idle.<sup>9</sup> It is hard to say what the Empress means to do. Altho she has not given Holland that assistance, which was expected from a nation at the head of the armed neutrality, it does not follow, as the Court of London would insinuate, that she means to throw her weight on the Scale—against the Republic. If the Court of Petersburgh really engaged in the war, will not the Turk endeavor to draw some advantage

from such a situation?<sup>10</sup> Thus let neither Germany or Russia become Parties in the war, it is not so certain, that all Europe will be in flames, & very questionable whether England will be any gainer by such an event. It may render a peace more difficult but it cannot endanger the independence of America. This indeed is an Event to which people in Europe, & even those in England begin to familiarize themselves. The frequent & gross falsities debited at St. James are losing their influence fast—& we are not without hopes, altho' not very sanguine, that N. York may fall before the close of the campaign. If M. de Grasse arrives on our coast before Rodney, I see nothing extravagant in the hopes of its reduction.<sup>11</sup> If not, we must wait [patiently] the issue of another campaign, when by the assistance of our Allies at Sea we shall certainly be in condition to [deprive] our Enemies from the few strongholds they possess in our country, & put a finishing stroke to the Independence of America.

You will find with this a Prophile for Mamma. The length of its nose & chin will, if I mistake not, direct her conjectures to the person for whom it is designed. Present my best love to her & the Family. Accept my best wishes yourself, & believe me Your dutiful Son & humble Servant

HARRY BROCKHOLST LIVINGSTON

ALS, NN.

1. Letter not found. For the most recent letter from Brockholst that has been found see Henry Brockholst Livingston to WL, Apr. 29, 1781.

2. Letter not found.

3. David Salisbury Franks.

4. Congress had sent Franks to Europe as a diplomatic courier. He carried with him Jay's congressional commission authorizing him to negotiate peace at Paris.

5. Letters not found. After the failure to take Gibraltar in the spring of 1781, Spain focused its efforts on the capture of Minorca, which had been in British hands since 1763. The French were persuaded to assist and a combined fleet of forty-nine ships of the line under Adm. Don Luis Cordova and Adm. Luc Urbain de Bouexic Guichen departed Cádiz in the summer of 1781 with 1500 troops under commander Duc le Crillon. The troops were landed on August 18 and a small fleet established a blockade of the island. The attack on Fort St. Philip, which was garrisoned by 2700 men under Gen. James Murry, did not begin until November. For previous naval action off the coast of Spain see Henry Brockholst Livingston to WL, Apr. 1, 1780.

6. See Baron van der Capellen to WL, Aug. 15, 1781.

7. The Dutch had acceded to the League of Armed Neutrality, sponsored by Russia, on Jan. 4, 1781, in the hope of obtaining protection of its possessions. When war with Britain broke out, empress Catherine II of Russia was hesitant to undertake the protec-

tion of Dutch neutral shipping rights, wary of being drawn into the war. Instead, Catherine accepted the British explanation of the Anglo-Dutch breach as originating in circumstances prior to the Dutch accession to the Neutral League. At the invitation of the British, Catherine agreed to join with Holy Roman Emperor Joseph II in a comediation of the Anglo-Dutch dispute. After Britain had rejected Austro-Russian preliminary proposals in the summer of 1781, Catherine began to reevaluate Russia's position. Despite the danger of war with Britain, Dutch claims for the right of neutral shipping were to Russia's advantage in that the Dutch carried Russia's trade in naval stores. At the end of August 1781, Russian, Swedish, and Danish envoys in London issued a *joint de marche*, as members of the Neutral League, in favor of the United Provinces and calling for the suspension of Anglo-Dutch hostilities as a preliminary to negotiation. See William C. Houston to WL, March 22, 1781.

8. A reference to the Austrian loss of Silesia to Prussia and Parma, Piacenza, and Guastalla to Don Felipe, the third son of Philip V of Spain, during the War of the Austrian Succession, 1740–1748.

9. Frederick II, king of Prussia, joined the League of Armed Neutrality in May 1781 in an attempt both to improve relations with Russia and to counter Austria's new influence with that country. Fearing Prussian designs, Austria joined the league in October 1781.

10. After the Russo-Turkish war of 1768–1774, in which the Turks were driven out of the Crimea, tension between the two countries continued. War would have broken out again in 1778 but for an outbreak of plague in the Turkish fleet.

11. In the winter of 1781, Adm. George Rodney had failed to intercept De Grasse while both were in the Caribbean. Rodney believed De Grasse had dispatched only a part of his fleet to America and had himself returned to Europe. Consequently, Rodney also returned to England after dispatching to North America fourteen ships of the line under Sir Samuel Hood. Hood rendezvoused with Adm. Thomas Graves, who had just taken command of the British navy in American waters from Adm. Marriot Arbuthnot. It was Graves, not Rodney, who faced De Grasse in the battle of the Capes. See WL to Joseph Reed, Sept. 14, 1781.

## To Henry Brockholst Livingston

Trenton 17 September 1781

Dear Brockholst

I just now received your Letter of the 29th of April, & am glad to find you was safely returned from France after so fatiguing a Journey as you must necessarily have had.<sup>1</sup> Our poor John Lawrence whom we had for some time past mourned as lost in the Ocean, I find is captured & carried into England.<sup>2</sup> I cannot learn the name of the man of war or frigate which took the Saraghtoga. I hope you will endeavour to learn the fate of your poor brother, & consult Mr. Jay about his relief & exchange which may perhaps be effected by your acquaintance in France.

General Washington has put the Enemy in the greatest surprize &

perplexity by a sudden march from the seige of New York or rather a feint to attack it, to surround Cornwallis in Virginia.<sup>3</sup> The French fleet under Admiral de Grasse seasonably arrived during his march & has block'd up the Chesapeake so that there is the greatest probability of our making prisoners of the whole Army under his Lordships command. This manœuvre will be very decisive on the one side or the other & we hourly look for one of the most important Events that has hitherto attended the war.

The Traitor Arnold has just returned to N. York from an expedition by water to New London, which town he has [. . .] to two thirds reduced to ashes;<sup>4</sup> & we daily expect him in this state to blazen his Character by the blaze of our houses. But we seem so accustomed to devastation & conflagration that they have no other affect upon us than that of increasing our detestation of the British & of rivetting our hatred of those detestable savages who despairing of the smiles of heaven from the injustice of their cause, seem to have adopted the maxim of "*Flectere se naqueo superos, acheronta movebo.*"<sup>5</sup>

The successes of General Green in the southern states during the whole Campaign however agreeable to review would be too tedious to recount.<sup>6</sup> It must suffice to say that under all the disadvantages of great inferiority of force & want of supplies, he has with a very few exceptions routed the Enemy wherever he has met them in the field & dislodged them from every fortress to which he had laid siege. In short there are few modern warriors that is entitled than himself to assume the laconic style of Caesar—*veni vidi vici.*<sup>7</sup>

LBC, MHi.

1. See Henry Brockholst Livingston to WL, Apr. 29, 1781.

2. John Lawrence Livingston, WL's son, was a midshipman aboard the Continental sloop-of-war *Saratoga* that was lost at sea in mid-April 1781. Rumors regarding the capture of the vessel caused WL to institute inquiries in a number of European ports. The search was fruitless. See WL to Sarah Jay, Aug. 21, 1781.

3. For the southern military situation see WL to Joseph Reed, Sept. 14, 1781.

4. For Arnold's raid on New London see WL to Joseph Reed, Sept. 14, 1781.

5. *Flectere si nequeo superos Acheronta movebo*: If I cannot influence the gods of heaven, I will stir up Acheron itself (Virgil, *Aeneid*, 6:893). WL implies that the British will stoop to any means to end American resistance.

6. For Greene's southern campaign see George Washington to WL, Aug. 21, 1781. During August 1781, Lt. Col. Charles Stewart, who succeeded Lord Rawdon as commander of the British forces in the Carolinas, maintained his headquarters at Orangeburg, S. C. On August 22 the British camped near Eutaw Springs. Nathanael Greene's forces

attacked the British there on Sept. 8, 1781, and scored a decisive victory which left the Americans in possession of most of Georgia, North Carolina, and South Carolina.

7. *veni vidi vici*: I came, I saw, I conquered. This was the brief dispatch in which Julius Caesar announced to the senate his victory over Pharnaces.

### To the Assembly

*Princeton, September 20, 1781.* Forwards to the assembly several congressional resolutions and official correspondence dealing with supplies,<sup>1</sup> French seamen serving on American ships,<sup>2</sup> the support of refugees from South Carolina and Georgia,<sup>3</sup> congressional recommendations to raise three thousand men,<sup>4</sup> and a receipt from Elias Woodruff for ammunition received from the Board of War.<sup>5</sup> WL urges the house to procure ammunition. He believes “that as soon as the Enemy at the post shall learn the fate of Lord Cornwallis,<sup>6</sup> they will make an Excursion to desolate and ravage New Jersey. The procuring a proper supply of Ammunition is therefore so essentially necessary that I cannot ascertain a doubt of the Legislature’s taking the most effectual & expeditious way to procure it.”

ALS, Nj.

1. The congressional resolutions requested that the states pay their debts for supplies to the central government. The amount of New Jersey’s debt is not known. Refer to Robert Morris’s Circulars to Governors of the States, July 6 and July 16, 1781, Ferguson, *Papers of Robert Morris*, 1:242, 305. On Sept. 27, 1781, the New Jersey Assembly appointed a committee to investigate how supplies could best be obtained (*General Assembly* [Sept. 19–Oct. 6, 1781], 11).

2. Congress, on July 12, 1781, directed the states to return French seamen serving on American ships to Count de Barras (*JCC*, 20:745–46).

3. Congress recommended that the states of Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, and New Hampshire raise money by subscriptions or contributions to assist refugees driven from their homes in the southern states by the British occupation (*JCC*, 20:748–49). Refer also to Thomas McKean to WL, July 25, 1781. For the fall of Charleston see Henry Brockholst Livingston to WL, July 12, 1780.

4. On September 10 Congress recommended that New Jersey and Pennsylvania each raise three thousand men (*JCC*, 21:947). Refer to Thomas McKean to WL, Sept. 11, 1781 (NN).

5. On New Jersey’s need for ammunition refer to Elias Woodruff to WL, Sept. 4, 1781 (NN), and see WL to Joseph Reed, Sept. 10, 1781. In late September commissary Elias Woodruff resigned and James Hamilton was appointed in his place. The Legislative Council on Sept. 27, 1781, authorized WL to apply to the Board of War for additional ammunition (*Legislative Council* [May 15–Oct. 6, 1781], 39).

6. On Sept. 18, 1781, French and American forces began the encirclement of Cornwallis's army at Yorktown.

### Proclamation

[Princeton, September 21, 1781]

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 it has been represented to me that North Marpole, of the county of Gloucester, has been guilty of atrocious offences, and committed divers robberies, thefts and other felonies within this state:<sup>1</sup>—I have therefore thought fit, by and with the advice of the Honourable Privy Council of this state,<sup>2</sup> to issue this proclamation, hereby promising to any person or persons who shall apprehend and secure in any gaol of this state, the said North Marpole, the sum of ONE HUNDRED POUNDS of the bills of credit issued on the faith of this state. Given under my hand and seal at arms, at Princeton, the twenty-first day of September, in the year of our Lord one thousand seven hundred and eighty-one, and in the fifth year of the independence of America.

WIL. LIVINGSTON

By his Excellency's Command,

BOWES REED

*N. J. Gazette*, Sept. 26, 1781.

1. Northrup Marpole was first charged with treason in 1777. Refer to "Order in Council of Safety to Robert Morris," Oct. 19, 1777 (Nj).

2. The Privy Council advised WL to issue the proclamation on Sept. 21, 1781 (*NJA* [Privy Council], 3d ser., 204). There is no evidence Marpole was ever apprehended.

## Courts-Martial Order

September 24, 1781

By His EXCELLENCY  
The Governor.

A GENERAL Court Martial of the militia of the State of New-Jersey is hereby ordered and appointed to be held at Chatham, on the twenty-third day of October next, for the trial of Lieutenant-Colonel Jacob Crane,<sup>1</sup> Captain Isaac Gillam<sup>2</sup> and Lieutenant John Burnet,<sup>3</sup> of which Court Martial Colonel Sylvanus Seely is appointed President, and Lieutenant-Colonels Benoni Hathaway and John Starke, and Majors Daniel Brown, Joseph Lindsly and Daniel Cook, and Captains Peter Layton, Israel Ward, Joseph Beach, Obadiah Kitchell, James Kean, Jacob Arnold and Josiah Hall, are appointed members, and William Willcocks, Esq. is appointed Judge-Advocate; and for the trial of such other prisoners as shall be brought before them.

Given under my hand the twenty-fourth day of September, in the year of our Lord one thousand seven hundred and Eighty-one.

WIL. LIVINGSTON

*N. J. Gazette*, Oct. 3, 1781.

1. Crane was charged both with illicit trading and being intoxicated on duty.
2. Gillam was charged with neglect of duty, absenting himself without leave, and inciting mutiny.
3. Burnet was charged with disobedience, encouraging soldiers to mutiny, and neglect of duty.

## Proclamation

[September 25, 1781]

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  
In Council

To all whom it may concern.

The Sieur Holker having been recognized by the United States in Congress assembled as Consul General of France in the State afore-said.<sup>1</sup> It is hereby declared that the Priviledges Pre-eminence and Authority belonging to such Character & Quality are due to him.

Given under my hand and Seal at Arms at Princeton The twenty fifth day of September in the year of our Lord One thousand seven hundred and eighty-one

WIL: LIVINGSTON

By his Excellencys command,

BOWES REED

DS, DLC:Jean Holker.

1. On Sept. 10, 1781, Congress read a memorial from the minister plenipotentiary of France, Anne-César de la Luzerne, announcing the appointment of Jean Holker as consul general in the states of New York, New Jersey, Pennsylvania, and Delaware. Congress thereupon issued an act of recognition of the appointment. WL was notified about the appointment in a circular from Thomas McKean (*JCC*, 21:946). Refer to Thomas McKean to WL, Sept. 12, 1781. For previous correspondence between WL and Jean Holker see WL to Jean Holker, Jan. 19, 1781, and refer to Jean Holker to WL, Apr. 18, 1781 (NN).

From Asher Randolph

Woodbridge September the 26: 1781  
at night Nine o'clock

Sir

I Embrace this Momint of time to inform your Excellency of Some particular Movements of the Enemy the troops that were Embarked with Clinton Disembarked the twenty third of this Instant and marched up to the place Called the Rosencrown on Staten Island<sup>1</sup> with a large Number of wagons and a considerable Number of boats on carriges they have Collected all the troops that can be Spared on Long Island Marched them to the Rosencrown also last night and have presed on Long Island one hundred and fifty wagons which they have with them

the Number of troops cannot be particular ascertain'd but from the best information that I can procure from Six to Eight thousand troops is now at the Rosencrown as to there place of Distination I can not inform you but it is Generally Expected by all our friends on the Island that there Expedition will be in this State and that very Shortly.

My informer Says that Admiral Digby arived with three Ships of the Line the 24 of this Instant<sup>2</sup> which I Suppose to be fact I am in the utmost hurry therefore Excuse me at present I am Sir Your humble Servant

ASHER RANDOLPH

N B I Expect to Render more particular accounts very sune

ALS, NN.

1. For previous British troop landings on Staten Island see WL to Joseph Reed, Sept. 14, 1781.

2. Adm. Thomas Graves, after the engagements with the French in the Chesapeake from Sept. 5 to Sept. 10, 1781, returned to New York to refit his damaged ships, a task that would not be completed until early October. Graves's squadron was reinforced on Sept. 24, 1781, by three ships of the line commanded by Adm. Robert Digby. Sailing with Digby as a midshipman was Prince William Henry, the sixteen-year-old son of George III, who was later to become William IV (Smith, *Historical Memoirs*, 2:445–46).

### Message to the Assembly

Princeton 28th. September 1781

Gentlemen

I herewith transmit to the honourable House a Resolution of Congress of the 8th of June last<sup>1</sup> (which I received yesterday) together with a Letter from the Clothier General of the 27th instant.<sup>2</sup> By this Resolution it is directed that all State purchases of clothing on continental account & all State appointments & regulations in the clothing department on continental account be abolished on the first day of September; on or before which time the Sub or Agent Clothiers are to deliver to the Clothier General or his order all cloathing procured at continental expence, which they may have on hand, taking his receipt therefor, a duplicate whereof to be transmitted to the Treasury office.

By Mr. Moylan's Letter, which inclosed the above mentioned resolve, the House will observe that he desires from me such directions [ . . . ]

to the State Clothier<sup>3</sup> and others, as it is not in the Governor's department to give to officers under the controul of, & subject to, the directions of the Legislature. The house will therefore give such Orders respecting the matter as to them shall seem proper.<sup>4</sup>

I also submit to your Consideration a Letter from Mr. Morris Superintendent of Finance of the 17th. instant, which came to my hands this day.

The teams mentioned in this Letter, could not be procured, as the matter is represented to me, without a positive promise of payment by the procurer, & upon an Occasion on which the public Exigency indispensibly required them. Colonel Neilson will in two or three days attend for an answer to this application.<sup>5</sup>

WIL: LIVINGSTON

LS, Nj.

1. The report on soldiers' clothing was first considered on June 14, 1781 (*JCC*, 20:644, 663).

2. Refer to John Moylon to WL, Sept. 27, 1781 (Nj).

3. Israel Morris was New Jersey's state clothier. On Oct. 5, 1781, the assembly passed "An Act to repeal the several Acts made and provided for the Clothing of the Quota of Troops belonging to this State, in the Service of the United States and for other Purposes therein mentioned" to comply with the congressional resolution (*Acts* [Sept. 21–Oct. 6, 1781], 132).

4. Morris forwarded to WL an estimate from John Neilson for \$4,455 to cover the expense of delivering the clothing to New Jersey. Since Morris, as secretary of finance, did not have the money to pay for delivery costs, he asked the New Jersey treasurer to pay. The amount would then be credited to New Jersey's account. Refer to Robert Morris to WL, Sept. 17, 1781 (Nj).

5. On Oct. 1, 1781, the New Jersey Assembly passed a resolution to pay Neilson £1,677 12s. 6d. on the account of the United States (*General Assembly* [Sept. 19–Oct. 6, 1781], 18).

To Elias Boudinot

Princeton 29 September 1781

Sir

As you have encouraged the Legislature to expect a farther supply of Ammunition from the Board of war, they have requested me by a resolution of both houses<sup>1</sup> to make the application. For this purpose Lieutenant Hamilton<sup>2</sup> the bearer hereof our Commissary of military stores

will wait on them with my Letter—but as he is a stranger in Philadelphia I hope you will give him your assistance & influences to facilitate his application. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, DLC:Boudinot.

1. For the most recent reference to New Jersey's ammunition shortage see WL Message to Assembly, Sept. 20, 1781.
2. James Hamilton, New Jersey's state commissary of military stores.

### From Elias Boudinot

Philadelphia, Sept. 29th 1781.

Dear Sir

We are much alarmed here, on the apprehended Invasion of this State by General Clinton from New York.<sup>1</sup> Indeed this City could not have been attempted in a more defenceless State, or at a Time which would so essentially have affected the Common Cause.

Congress have ordered down to this Town 500 Continental Troops, under General St. Clair from Lancaster.<sup>2</sup> 3000 Men of the Militia of this State are ordered to be in the field without delay, and half of the Militia of the Delaware State. Congress have great, and indeed I may say, the greatest dependance on the Militia of our State, and hope they will be found actually in the field, should the Enemy appear ever so suddenly. As some days are always taken to arange any Body of Militia, the sooner they are called out the better. I confess for my own part, I consider this City, as our most vulnerable Part.

Another Letter received this Evening from Maryland, confirms the junction of Monsieur de Barras—& his taking a 44 gun Ship & two frigates with as many Transports.<sup>3</sup> No other News. Am Your Excellency's Most Obedient Humble Servant

ELIAS BOUDINOT

ALS, NN.

1. Boudinot's fears were well founded. Clinton had, according to WL's source, between six and eight thousand troops on Long Island. See Asher Randolph to WL, Sept. 26, 1781. Once Graves's damaged ships were repaired, the Americans feared they would be used either to transport these troops to strategic and vulnerable targets in New York,

New Jersey, or Pennsylvania or sail to the Chesapeake to assist Cornwallis's besieged forces in Virginia.

2. On Sept. 19, 1781, Congress ordered Maj. Gen. Arthur St. Clair to march the Pennsylvania line to Philadelphia (*JCC*, 21:974).

3. De Grasse, after the Sept. 5 to Sept. 10, 1781, battle of the Chesapeake, ordered de Barras to sail to Baltimore with all available transports. The fleet was escorted by *Romulus*, a forty-four gun man-of-war. (Refer to De Grasse to George Washington, Sept. 16, 1781, *Correspondence of General Washington and Comte de Grasse*, Aug. 17–Nov. 4, 1781, ed. Institut francais de Washington [Washington, D.C., 1931], 32–33). The fleet transported the remainder of the French and American forces from Maryland to Virginia. They reached Williamsburg on September 25, bringing Washington's force to twelve thousand regulars and four thousand militiamen.

### From Samuel Hayes

Newark October 7 1781

Honored Sir

Since my Return from Captivity<sup>1</sup> I have Observed many Irregularities Among Officers And Soldiers of the Militia on Duty at this post, the pernicious Consequence of Sending And Recieveing flaggs of Truce from the Enemy is perhaps one of the Greatest; Sometime past a Certain David Davidson was proved to have Acted as a pilot to the Enemy in one their late Incution into this place, in order Escape punishment Upon being Discovoured he fled to the Enemy. A few Days After a flagg Came Up from the Refugees and Carried off his Effects which were the property of the State; a few Days After Judge Burnet<sup>2</sup> and Myself went to the officers on Duty and Remontstrated Against Such Conduct and Threatned them with the Law in Case they did Not Desist, Notwithstanding which Lieut. Elias Baldwin the officer on Duty within a Day or two After, went to the Refugee post on Bergen with a flagg Under pretence of Exchangeing prisoners whare he staid 24 hours without Effecting any thing, (Unless a Cargo of Goods as was Supposed by those who Saw him Return), Sometime last week a woman of the Name of Van Skeik<sup>3</sup> was Carried privately from this place to Bergen In order to Go to New York to see her husband, And was Some few Days after brought privately back, the 5th Instant her husband Came Up with a permit from Mr. Birch<sup>4</sup> the Commandant of New York with a private flagg to transact Business in this place & was Recieved by Capt. Nickhols<sup>5</sup> the Commanding Officer and permitted to Come up to Town whare he Staid all Night, what his Business was I know not.

What Capt. Nickhols private Instructions may be I know not, but Sure I am Such Conduct has a Very bad Effect on the Minds of the people. I thought it my Duty to Inform Your Excellency of the fact that Some Measure may be Taken in this Respect as Your Excellency in your wisdom Shall think proper.<sup>6</sup> I am with Respect Honored Sir Your obedient Humble Servant

SAML HAYES

ALS, NN.

1. Hayes had been taken prisoner in 1780.
2. William Burnet, Sr.
3. Perhaps the wife of Loyalist Peter Van Schaack of Kinderhook, New York.
4. Gen. Samuel Birch.
5. Perhaps Essex County militiaman Robert Nichols.
6. Movements to and from enemy territory persisted despite WL's rigidly upheld policy of not granting passes. See, for instance, WL to Philip Hoffman, Sept. 15, 1781.

### To Henry Brockholst Livingston

Trenton 9th October 1781

Dear Brock

Since the above which is Copy of my Last<sup>1</sup> nothing very memorable has occurred in our affairs, except the action between General Green & Colonel Stewart on the 8th ultimo,<sup>2</sup> of which you have an Account in the enclosed, as well as the State of General Washington's operations against Earl Cornwallis as far down as the 28 Ultimo. In all human appearance the British fleet at New York now repairing the damage sustained from their late drubbing by the french<sup>3</sup> will not be able to relieve his Lordship & not being stronger with the addition of the three men of war arrived with Admiral Digby<sup>4</sup> than they were before their engagement with the French off the Chesapeake; & the naval force of our ally being near double of theirs.

I long exceedingly for the return of my dear Children from the other Sides of the Ocean.<sup>5</sup> Give my Love to Mr. & Mrs. Jay. Peter is a charming boy, & promises to be as clever a fellow as his father.

LBC, MHi.

1. Probably WL is referring to his letter of Sept. 17, 1781.
2. For the latest reference to southern military action see WL to Henry Brockholst Livingston, Sept. 17, 1781, n. 6.

3. For a report on recent American and French military and naval maneuvers in the Chesapeake see Elias Boudinot to WL, Sept. 29, 1781, and refer to Asher Randolph to WL, Sept. 30, 1781 (NN).

4. For Digby's arrival in New York see Asher Randolph to WL, Sept. 26, 1781.

5. The Jays were still in Madrid. For recent correspondence between WL and his daughter see WL to Sarah Jay, Aug. 21, 1781.

## Proclamation

[October 9, 1781]

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 by my Proclamation bearing date the third day of August<sup>1</sup> last past, a reward of two hundred dollars of the bills of credit issued on the faith of this State, was promised to any person or persons who should apprehend and secure in any gaol of this State, any or either of the following persons or offenders, to wit, Caleb Sweesy, James O'Harry, John Moody and Gysbert Gyberson: and whereas the said name of Gysbert Gyberson was by mistake inserted in the said Proclamation instead of that of William Giberson, who is the person thereby meant and intended;—I have therefore thought fit, by and with the advice of the Honourable Privy Council of this State, to issue this Proclamation, hereby promising the reward above mentioned to any person or persons who shall apprehend and secure in any gaol of this State the said William Gyberson; and do hereby revoke any reward promised for apprehending or securing the said Gysbert Gyberson.

And whereas in and by a certain Act of the Legislature of this State, intituled, "An Act to prevent persons from passing through this State without proper passports," passed at Trenton the tenth day of July, in the year of our Lord one thousand seven hundred and seventy-nine,<sup>2</sup> it is among other things enacted, that no person or persons whatsoever residing within this State, except the members of the Legislature and publick officers of government, shall be permitted to pass and repass through any part of this State, other than the county in which he, she or they reside, without having a commission under this State or the United States, or a certificate from His Excellency the Governor, or

from one of the members of the Legislative-Council or General Assembly of the county in which he, she or they reside, or from one of the Justices of the Supreme Court, or one of the Judges of the court of common pleas or Justices of the peace of such county, certifying that the bearer is an inhabitant of the county of and a person of good repute and generally esteemed a friend to the present government, as established under the authority of the people; in which certificate shall be inserted the name and rank of the person, and the town and county in which he resides; which certificate shall intitle the bearer to travel in any part of this State, except near the enemy's lines, where he shall not be permitted to travel without some apparent business consistent with his rank and station, and the good of the state; and that no person or persons whatsoever, not residing in or being an inhabitant of this State shall be permitted to pass or repass through any part of this State, without having and holding a commission under the United States, or without a pass from the Commander in Chief or other General officer in the army of the United States, or from the Governor and Commander in Chief, or one of the Delegates in Congress for the state in which such traveller usually resides, or of one of the Legislative or Executive Council of such state, or being a non-commissioned officer or soldier, without a pass or furlough from some one of the officers of the regiment to which he or they may belong; which commission or pass shall entitle the bearer to travel into or through this State, while behaving and conducting as becometh such traveller: *Provided*, that nothing in the said Act contained be taken or construed to extend to the hindering any person living in the adjoining counties of the neighbouring states, not immediately in the possession of the enemy, from passing into the next adjoining county in this State, having a pass from one Justice of the peace in the county to which he or she may belong, provided such person do not attempt to pass out of such county without obtaining a permission or passport, agreeably to the directions of the said Act.

And whereas, in order to carry the said Act into effect, it was further enacted, that it should and might be lawful for any officer of this State, civil or military, in the presence of two or more witnesses, in a publick manner to examine all travellers whatsoever, and for all innholders publickly to examine all such as may put up at their houses, and for all ferry men and drivers of publick stages to examine all passengers who may offer or desire a passage, and to detain and carry before some Justice of

the peace of the county, all such person or persons who, upon such examination should not produce a commission, certificate or pass, authorizing them to pass as aforesaid; and without which by the said Act, they were therein before denied permission to pass and repass through any part of this State. And each and every person taken up and carried before a Justice of the peace in any county of this State, pursuant to the directions of the said Act, who are denied permission to pass as aforesaid, shall, by such Justice, be either committed to gaol by a mittimus,<sup>3</sup> there to remain till duly discharged, or be obliged to return the directest way to his place of residence, as the said Justice upon examination of the person apprehended, and hearing the evidence produced, shall in his discretion, judge most proper, and the said Justice of the peace, who shall cause any person to be committed to gaol as aforesaid, or any two Justices of the peace of the said county shall be, and thereby are authorized and empowered to discharge from gaol any such person so apprehended and committed, who shall prove to the satisfaction of such Justice or Justices that he ought to be discharged upon his paying the costs accrued, on taking up and committing such person, as the same shall be taxed by the Justice or Justices: And all persons apprehended and committed as aforesaid, who shall not appear to be spies from the enemy, or otherwise guilty of any capital offence, but shall otherwise be of doubtful or suspicious characters, shall be discharged from confinement, upon paying the cost as aforesaid, and also the expence of a sufficient guard to conduct or remove such person or persons out of this State, the directest or securest way towards his place of residence; which guard the said Justice or Justices are required to procure, upon receiving a sum sufficient to hire and support the same, and to give a pass for that purpose; and that every boatman and ferryman who shall bring into this State, or over any ferry within the same, any person without a passport as aforesaid, and every publick innkeeper or other householder who shall entertain any person not having such passport, and all stage-drivers who shall grant a passage to any such person, every such ferryman, publick innkeeper, householder and stage-driver so offending, contrary to the true intent and meaning of the said Act, shall for every such offence forfeit and pay the sum of twenty pounds, to be recovered in any court of record where the same may be cognizable, with costs of suit, to be applied one half to the support of the poor of the township where the offence was committed, and the other half to

the prosecutor; and all officers civil and military within this State, are thereby strictly ordered and enjoined to give all needful aid and assistance for carrying the said act into execution, as by the said Act reference being thereunto had, may appear.

And whereas there is great reason to apprehend that the enemy employ a number of spies and emissaries to pass and repass through this State to collect intelligence and for other purposes prejudicial to the Commonwealth, and that the publick stage-drivers frequently grant passages to persons not having the passports by the said Act directed, and who pass and repass through this State in order to get into the enemy's lines without the passes for that purpose directed by another Act of the Legislature,<sup>4</sup> and also to carry on an illicit trade with the enemy in defiance of another law of his State,<sup>5</sup> for which reasons it is become more necessary than ever to carry the said herein recited Act into the most rigorous execution:—I have therefore thought fit hereby to request all the good citizens of this State who tender the welfare of their country and the glorious cause of liberty and independence at this critical juncture when it is of the utmost importance to prevent all intercourse with the enemy to exert themselves in the execution of the said Act according to the respective powers and authorities on them conferred by the same.

Given under my hand and seal at arms, at Trenton, the ninth day of October, in the year of our Lord one thousand seven hundred and eighty one, and in the sixth year of the independence of America.

WIL. LIVINGSTON

By his Excellency's Command,

BOWES REED

*N. J. Gazette*, Oct. 17, 1781.

1. See WL Proclamation, Aug. 3, 1781, and Silas Condict to WL, July 20, 1781.

2. This act was passed on June 10, not July as stated here (*Acts* [May 22–June 12, 1779], 88–90).

3. *mittimus*: a warrant of commitment to prison.

4. See “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” (*Acts* [Sept. 24–Oct. 8, 1778], 104–6). For a recent example of problems relating to passes refer to William Burnet to WL, Aug. 8, 1781 (NN).

5. See “An Act to Prohibit the Exportation of Provisions, and other Articles therein mentioned,” described in WL to Assembly, Jan. 30, 1777, 1:203–4. For a recent letter on illicit trade see Asher Randolph to WL, Aug. 18, 1781.

## To William Heath

Trenton 11 October 1781

Sir

I should much sooner have done myself the honour of acknowledging the receipt of your favour of the 28th Ultimo,<sup>1</sup> but the multiplicity of Business at the Sitting of our Assembly,<sup>2</sup> and other unavoidable Avocations, will, I hope, apologize for the delay.

I have Sir, to express my grateful Sense of your attention to this State in ordering a detachment of the Troops under your command with a field piece, to advance as far as Ramapaugh which I think is the best post they can take, until the Enemy render it necessary for them to remove farther down. But I am apt to think that the poor Devils on Staten Island are so perplexed with the present posture of affairs, that they know not themselves what they would be about; and from the pains lately taken in Britain to trumpet the martial fame of Cornwallis, & Clinton's jealousy of having his own reputation eclipsed by the rising glory of that rival, I verily believe the latter would not regret his Lordship's falling a victim to his present Beseigers. At all events I could never persuade myself that he would be so mad as to risque a march of his army through this State to Philadelphia,<sup>3</sup> because tho' he might, by a rapid push, gain that City before we could collect in sufficient force to check him, I should think it impossible for him to effect his return against the numbers that would, by that time, be assembled to dispute his progress; & to attempt it by water would be just making a present of his troops to the fleet of our Ally.

The Construction therefore which I put on their Maneuvres on the Island, is that they think it most expedient to be prepared on the shortest notice after hearing the fate of Cornwallis<sup>4</sup> to take their measures accordingly: and the frequent change of their local Situation is easily accounted for from their having the yellow fever. It is however very probable both from their present necessitous circumstances as to forage, & their reasonable apprehensions of a seige after we have done his Lordship's business, that they may make an incursion into this State, in which case I doubt not, they will, according to custom, shew fleeter heels in their retreat than their advance.

Colonel Seely I believe is as properly [posted?] as possible; & by his patrols & out-posts make his corps as useful for the defence of the State as the number of his men will admit of. I am with great Esteem Sir your most humble Servant

WIL: LIVINGSTON

ALS, MHi.

1. Heath informed WL that he believed the British were planning to invade New Jersey from Staten Island. He ordered Continental army troops to advance to Ramapo to assist the New Jersey militia if the invasion occurred. Refer to William Heath to WL, Sept. 28, 1781 (NN).

2. The assembly met from Sept. 21 to Oct. 6, 1781.

3. Graves's fleet was still undergoing repairs in New York. Clinton had assured Cornwallis, besieged since September 29 at Yorktown, that he would send five thousand men to relieve him when the refitting was completed. That, Clinton expected, would be by October 5, but the fleet had not yet sailed on October 12 (Smith, *Historical Memoirs*, 2:456–57). For the most recent reference to British troop movements see Elias Boudinot to WL, Sept. 29, 1781.

4. Cornwallis had abandoned his outer defenses and concentrated his forces in Yorktown. On September 30, the British began bombarding the American soldiers, who were digging trenches. American artillery, moved to Yorktown by ship and baggage wagons, did not reach Washington until October 6. On that day the allies began to return British fire. The next day Washington ordered American and French forces to dig parallels so that allied artillery could advance closer to Yorktown. Cornwallis, expecting the daily arrival of relief forces from New York, refused to risk the depletion of his troops and did not attack the allied work forces. After completing the parallels, Washington's men moved their artillery into position and began the bombardment of the British army (Fitzpatrick, *Writing of Washington*, 23:161, 167, 170, 179–85, 186).

To John Lacy

Trenton 16 October 1781

Sir

I just now received a Letter from Capt. Randolph<sup>1</sup> in which he writes "I beg leave to inform you Excellency of some particular movements of the Enemy. There has a considerable body of troops embarked but has not sailed, but is expected every day to sail. From the best accounts that I can collect they intend to make a rapid push to the Southward to endeavour to relieve Cornwallis. They take the Chief of their troops on board three men of war."<sup>2</sup> I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NjHi.

1. Refer to Asher Randolph to WL, Oct. 14 1781 (NN). In a letter dated October 12 Randolph had reported that the British had not yet embarked any troops. Refer to Asher Randolph to WL, Oct. 12, 1781 (NN).

2. Clinton on October 12 learned from Cornwallis that the enemy had advanced to within six hundred yards. The British fleet was under sail by October 18 (Smith, *Historical Memoirs*, 2:459).

### From Silvanus Seely

Farmer 16th. October 1781

Sir

Yours by Mr. Smith<sup>1</sup> I duly received and have Notified the different parties except the Witnesses which I am now giving notice to.

I find that sum of the members of the Court<sup>2</sup> will not be able to attend and I could wish to have your Excellency's instructions what to do if such a thing should happen. The times of the first of the three Monthes Men expired yesterday<sup>3</sup> and great Part of those who came in afterwards had agreed with the [Officers?] that sent them to serve no longer than untill the 15th. Instant so that the whole have dispersed—and I have but about eighty of the years Men left me which renders it impossible to keep up the Nesesary Guard. The enemy have colected from diffrent Parts twenty four ships of the line & three of 56 and are taking troops on board and I exspect will sail in a short time and should I be informd of the time they sail will give your excellency notice untill which I am Your Most Obedient Servant

SILV: SEELY

N.B. the enemy was embarking on sunday last since which I have not had any accounts

ALS, NN.

1. Letter not found.

2. Seely is referring to the forthcoming court martial of Jacob Crane, Isaac Gillam, and John Burnet. See Courts-Martial Order, Sept. 24, 1781.

3. See Silvanus Seely to WL, Aug. 12, 1781.

### From Jean Holker

Philadelphia ye. 18th. october 1781

Sir

I was honoured with your Excellency's letter of ye. 29th. ultimo by which you are So Kind as to transmit me the declaration of your State respecting my appointment as Consul general of france:<sup>1</sup> I thank you for polite attention on this occasion; I Could have wished in the execution of the duties of my office to have met with frequent opportunities of cultivating your friendship; it would have been my ambition to have deserved your Confidence: Some restrictions in our instructions having take place which might have brought me into difficulties or broke throw: my previous engagements, I have declined the office though with great reluctance, as I could have wished to have added a further Share of exertion in a publick line in order to ciment an Everlasting alliance between our two nations;<sup>2</sup> in this Situation I can only express my gratitude for your Kind wishes in my behalf & offer you all the Services which my respect for your Excellency & family will every where command from me. I am with great respect, Sir, Your most obedient & verry humble Servant

HOLKER

LS, NN.

1. Letter not found. See Declaration of WL, Sept. 25, 1781.

2. The French government, after hearing complaints about Holker's private business activities and speculations with Robert Morris, asked that Holker either give up his enterprises or resign from his new commission. On Oct. 3, 1781, Holker chose the latter option and continued his association with Morris in the firm of Turnbull, Marmie, and Co., as well as other enterprises.

### To George Washington

Trenton 20 October 1781

Dear Sir

By Intelligence from Staten Island which I think may be depended upon, the Enemy have prepared a number of line ships (it is said 24)<sup>1</sup> &

their supposed destination is Cheesapeak. This perhaps may be proper to communicate to the French Admiral, that measures may be taken accordingly.<sup>2</sup>

It is not in my power Sir, to answer your Excellency's Letter on the Subject of Supplies,<sup>3</sup> because I can devise no means of coming at the requisite Knowledge. I was in hopes to have received sufficient [I]ights the last sitting of the assembly, & made all the necessary applications for that purpose; but came away as uninformed as I went.<sup>4</sup> To this my expectation, you will be pleased to ascribe my having hitherto postponed to acknowledge the receipt of that Letter.

I most ardently wish your Excellency all the Success in your present Enterprize, that so well-concerted a plan, & so fair a prospect [ . . . ] merit & reasonably flatter us with, & have honour to be with the highest esteem Dear Sir you Excellency's most humble & very obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. The letter informing WL of the British fleet movement was probably from Silvanus Seely, who on Oct. 18, 1781, had informed WL that "24 Ships of the line two 50 [Guns] & a Number of Frigates Sailed" the previous day. Refer to Silvanus Seely to WL, Oct. 18, 1781 (NN).

2. The bombardment of Yorktown, beginning October 7, continued until October 16, when Cornwallis realized the enemy would soon take the second redoubt. He sent Lt. Col. Robert Abercrombie with 350 men from the devastated town to spike the enemy's guns. The French forced the British to retreat before they did any serious damage. The shelling of Yorktown resumed. Cornwallis ordered Lt. Col. Banastre Tarleton, in command of a force of cavalry and infantry at Gloucester, to attack the Marquis de Choisy's troops. The attackers would be reinforced by three thousand soldiers from Yorktown, whom Cornwallis planned to ferry across the York River at night. Only one contingent of about one thousand men crossed before a violent storm prevented the rest from embarking. Cornwallis thus was left with a divided army and insufficient men to attack the French forces. The allied bombardment resumed on October 17. Cornwallis, who waited in vain for the British fleet which sailed from New York that same day, sent a messenger to Washington asking for a parley (Fitzpatrick, *Writings of Washington*, 23:236–37).

3. See George Washington to WL, Sept. 3, 1781.

4. See Message to the Assembly, Sept. 20, 1781. The New Jersey Assembly passed "An Act to provide for the Defence of the Frontiers, and for defraying the Expences of the Government of this State" on Dec. 29, 1781 (*Acts* [Nov. 2–Dec. 29, 1781] 48–55).

## From Elias Boudinot

Philadelphia October 24 1781

Dear Sir

This Morning we received an official Account of the Surrender of Lord Cornwallis on the 19th. tho it was begun on the 17th. Instant.<sup>1</sup> His Garrison consisted of upwards of 5000 regular Troops besides Sailors etc. They are Prisoners of War, and the Capitulation on the Basis of that allowed to our People at Charles Town.<sup>2</sup> However I think it rather too favourable, tho' it was a great Point gained to finish so as to allow Count deGress to get to sea before the british fleet arrived at the Chesepeak.<sup>3</sup>

I heartily congratulate your Excellency on this joyous Occasion And Am Your very Humble Servant

ELIAS BOUDINOT

I write in great Haste

ALS, NN.

1. Cornwallis and Washington agreed on Oct. 17, 1781, that commissioners should meet to discuss terms of capitulation. Surrender terms were formulated the following day. At 2 P.M. on Oct. 19, 1781, Cornwallis's second in command, Gen. Charles O'Hara, led the British garrison out of York. O'Hara surrendered to Gen. Benjamin Lincoln, who had capitulated to Clinton at Charleston, and was now Washington's second in command. Tarleton's cavalry at Gloucester surrendered later the same day (Fitzpatrick, *Writings of Washington*, 23:239–44). News of the surrender was brought to Congress in Philadelphia by Tench Tilghman, Washington's aide-de-camp. WL heard of the victory from Elias Boudinot, who, on October 21, told him "of the surrender of Lord Cornwallis & his whole Army on Wednesday last." Refer to Elias Boudinot to WL, Oct. 21, 1781 (NN).

2. At Charleston the British had refused the Americans the honors of war, which would have permitted the army to evacuate the town with flying colors while the band played British tunes. At Yorktown, the Americans insisted the British "march out . . . with Shouldered Arms Colors cased, and Drums beating a British or German March . . ." (*Correspondence of Washington and de Grasse*, Aug. 17–Nov. 4, 1781, 105).

3. The British fleet arrived at the Capes on October 28. They remained only until they received word of the surrender of Yorktown and sailed for New York on October 29. De Grasse remained in the Chesapeake until Nov. 3, 1781 (*Correspondence of Washington and de Grasse*, 153).

## To Henry Brockholst Livingston

Trenton 24. Oct. 1781

Dear Brock

My last to you was on the 9th instant, inclosing a duplicate of one of the 17th of September.<sup>1</sup> I now have the pleasure to inform you of one of the most obstinate Engagements that has happened during the war, in which General Green was victorious.<sup>2</sup> The particulars you will see in the inclosed which will also inform you of the Still more important & glorious Success of General Washington in the capture of Lord Cornwallis and his whole army.<sup>3</sup> General Washington's account of the Enemy's Surrender is not yet come to hand but hourly expected.<sup>4</sup>

I left your Mamma the day before yesterday at Uncle Van Veghten's<sup>5</sup> being obliged to decamp a little sooner than I had intended from her uneasiness on account of a party of Refugees who had landed at the blazing Star & were scattered in smaller parties about the Country to take or assassinate me.<sup>6</sup>

My love to Mr. & Mrs. Jay, I long extremely to see you all in your native Country

The news of the Saraghtoga's being carried into England is not so well confirmed as I could wish—So that I am still under the apprehensions of my poor John Lawrence's being buried in the Ocean.<sup>7</sup>

LBC, MHi.

1. See WL to Henry Brockholst Livingston, Oct. 9, 1781.

2. WL had enclosed an account of Greene's September 8 victory at Eutaw Springs in his letter to Brockholst of October 9.

3. For an account of Cornwallis's surrender see Elias Boudinot to WL, Oct. 24, 1781.

4. Washington informed Congress of the victory on Oct. 19, 1781 (Fitzpatrick, *Writings of Washington*, 23:241–44).

5. Dirck or Derrick Van Veghten.

6. For the most recent reference to an assassination attempt see WL to George Washington, Apr. 14, 1781. The Blazing Star Ferry was near Woodbridge. See map following p. 130 in vol. 1.

7. For WL's most recent reference to the loss of John Lawrence see WL to Henry Brockholst Livingston, Sept. 17, 1781.

## To Susannah Livingston

Trenton 25 Oct. 1781

Dear Sukey

I just now receive your Letter of the 2d instant, inclosed in a Letter from Caty for it had, it seems first taken a journey to Philadelphia.<sup>1</sup>

The glorious news of Lord Cornwallis surrender with his whole army tho' premature when you heard it, is now reduced to a certainty. It was an unconditional Surrender the whole Garrison having Submitted as prisoners of war, only his Lordship to be paroled to go to England,<sup>2</sup> whither he is welcome for me to carry the tidings, & where I suppose Burgoyne<sup>3</sup> will be glad to see him upon such an Occasion. Such a messenger moreover is the best we could have Sent; because his account they cannot affect to discredit & he must do justice to our strength to save his own honour. We have not the particulars of General Washington's dispatches to Congress in print but expect them tomorrow as little Tilghman arrived with them yesterday in Philadelphia. We cannot however wait till then for the exhibition of our Joy, my Landlord, having already displayed the continental colours on the top of his house. It is said that Cornwallis pretends that he surrendered for want of Ammunition, but I guess it was rather the efficacy of our ammunition than the scarcity of his own that compelled him to submit that unavoidable mortification. This Conqueror of the South! this boaster of battles unwon! What a figure does he make at present & how proportionably abject in adversity are all such military Coxcombs who are so insolent & outrageous in Prosperity! My only objections against his being paroled is that he richly deserved to be hanged as a victim sacrificed to the [ . . . ] of Colonel Hays<sup>4</sup>—& was a proper object to retaliate upon the numberless cruelties against the Carolineans which he has either actually exercised or indirectly countenanced. But as we have now plenty both to parole & hang, his Lordship is the best express we could dispatch to the country of roast-beef & insolence. I met your Mamma two days ago at Raritan. She told me that you were desirous of staying the Winter in the State of New York if I had no objections against it. I answered that I had none except that of thereby increasing her solitary

situation; which as she chearfully submits to for the sake of encreasing your pleasure is therefore removed.

I hope you will pass a considerable part of the time at your Uncle Livingston's.<sup>5</sup> Old people love to be taken notice of, & if he is only half so hospitable as he used to be he will make you very wellcome. Should his family appear too numerous or crowded to make it convenient to him your own descretion will discover that, & you will make your stay the shorter with the best excuses you can frame for not accepting his invitations to stay longer. I am not so well ascertained as I could wish of poor Johnny's being carried into England which, after having so long giving him over as Lost in the Ocean would be very joyful news to me. I have however, written to Mr. Jay & Brockholst on that supposition to use their interest in France for his relief & redemption. Tell Peter Jay that I have not received one Letter from him since he has been in York State—that I am sorry he should so soon forget me, & that he must send me a Letter & tell me when he intends to come back to his Grand-mamma Livingston's.<sup>6</sup> My Compliments to all our family Connections up the Hudson's.

LBC, MHi. Sedgwick Transcription.

1. Neither letter has been found. WL's daughter Catharine was in Philadelphia.

2. According to Article VI of the Articles of Capitulation, British staff officers were permitted to leave Yorktown for parole in Europe, New York, or any other British-held territory (*Correspondence of Washington and De Grasse*, 107–8). On Oct. 23, 1781, Cornwallis asked Washington for transports to carry him and his officers to New York (Fitzgerald, *Writings of Washington*, 23:255–56) The earl arrived in New York on November 19 (Smith, *Historical Memoirs*, 2:464).

3. For Burgoyne's departure from the United States following his defeat at the October 1777 battle of Saratoga see Henry Laurens to WL, Apr. 19, 1778, 2:294–300.

4. After the fall of Charleston on May 12, 1780, Col. Isaac Hayne, a militia officer in South Carolina, had signed a declaration of allegiance to Great Britain only on the condition he not be required to bear arms against patriots. When the British ordered him to fight for them, he fled Charleston. He was pursued and taken by the British on July 8, 1781, and executed without a trial on Aug. 4, 1781.

5. Robert Livingston, third lord of Livingston Manor.

6. Susannah Livingston and Peter Augustus Jay were house guests of Peter Jay at Fishkill, N. Y.

## From Dirck Romeyn

Hackinsack October 27 1781

Sir

A Gentleman of undoubted Veracity very lately from New York called upon me this Morning and informed me, that before He left that Place a Gentlewoman of credit assured Him that there were near 30 of the Enemy out in the Country in different Partys for the express purpose of Capturing and Carrying off Your Excellency,<sup>1</sup> that by what she could learn Their chief dependance for effecting their design was placed in one of Your Excellencys Family or Attendants begging that the earliest notice might be given of this Matter. The Gentlemans Situation is such as to deprive him of the Previlidge of immediately communicating it himself to Your Excellency and therefor desired me to do it. Whether the above intelligence is to be taken notice off—Your Excellency will be best able to Judge. Should it be real I shall feel myself exceeding Happy if this line should reach Your Excellency in proper time & prove any way conducive to Your safety, at any rate I thought my silence on the present occasion would be culpable. Believe me to be with the greatest sincerity May it Please Your Excellency Your very Humble Servant

D ROMEYN

ALS, NN.

1. WL had heard reports that an attempt would be made on his life. See WL to Henry Brockholst Livingston, Oct. 24, 1781. Dirck Romeyn had been asked by Lord Stirling to gather information on enemy plans and then forward it to William Heath, in command of the northern army. The rumor might have been carried to Domine Romeyn by his relative, Dr. Nick Romeyn, who had recently requested a pass from WL to go into New York. Refer to Dirck Romeyn to WL, Oct. 21, 1781 (NN).

## From Susannah French Livingston

Elisabeth October 28 [1781]

Dear Mr. Livingston

I am happy to hear you got Safe to trenton.<sup>1</sup> New cause for thankfulness, this, as is the surrender of Cornwallis that proud man I hope this

will be attended to in a proper manner. I got home safe & found many of our Friends at dinner at our house. Brother Peter & Sister Hoffman Mrs. Watkins & Judy & Mr. Watkins with their son, a very fine child he is,<sup>2</sup> Tho I cant love any like Peter Jay.

I intend'd to have given you an account of the Last 70 Dollars you sent me. I took the memorandum with me for that purpose, but cant find it at present. I Shall want some more to pay two men Bille<sup>3</sup> employ'd to clean the buckwheat. He promis't to pay them three State Dollars for me and with difficulty obtain'd them for that. I am your affectinate wife

SUSANNA

I Should be glad of some paper

ALS, NN.

1. See WL to Henry Brockholst Livingston, Oct. 24, 1781, for an explanation of WL's hasty departure from Elizabethtown.

2. WL's brother and sister Peter Van Brugh Livingston and Alida Livingston Hansen Hoffman, and WL's daughter Judith, her husband John W. Watkins, and his mother. The Watkins child, John Flint, had been born on June 10, 1781.

3. William Livingston, Jr.

To Thomas Sim Lee

Trenton 29th October 1781

Sir

A certain Mulliner<sup>1</sup> who was lately executed in this State for several Robberies & other capital felonies, had, before he plundered on shore, committed many depredations at Sea.<sup>2</sup> During his cruizes he took several prisoners, citizens of different States in the Union, whom he used to parole & dismiss. The inclosed parole I find he took from an Inhabitant of your State. It will I suppose be a satisfaction to the person concerned to have it back again, for which purpose I do myself the honour to transmit it to your Excellency as the surest way of getting it to his hand, & am with great Esteem your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, PHC.

1. Joseph Mulliner.

2. Mulliner was tried and convicted of high treason on Aug. 8, 1781, and executed the same day. According to newspaper accounts, he was "the terror" of Egg Harbor. He

burned houses and plundered “all who fell in his way, so that when he came to trial it appeared that the whole country, both whigs and tories, were his enemies” (*NJA* [Newspaper Extracts], 5:282).

### To the New Jersey Legislature

October 30, 1781

GENTLEMEN,

SO clear a Demonstration of the favourable Opinion which the Legislature is pleased to entertain of me as the Appointment to the Administration of the Government, affects me with the deepest Sense of the Honour thereby conferred;<sup>1</sup> I shall accordingly take upon me the important Office in full Confidence of their Candour, to make the proper Allowance for Human Frailty, and all the Errors naturally resolvable into the Wants of the necessary Abilities for discharging so great a Trust, endeavouring on my Part to atone for the Want of superior Talents by the more indefatigable Industry in striving to answer the Expectation of the Publick.

WIL. LIVINGSTON

*Legislative Council*, Oct. 30, 1781.

1. WL was reelected governor by unanimous vote of the legislature on Oct. 30, 1781 (*Legislative Council* [Oct. 23–Dec. 29, 1781], 7).

### To William Semple

Trenton 2d Nov. 1781

Sir

I just this moment received your Letter of the 20th Last.<sup>1</sup> I should be happy, Sir to be able to tell you (What you say you have heard) that I had advice from England that my son was a prisoner there having So long given him over as lost in the Ocean. But such Intelligence I never received. All the Accounts I have had of the Saraghtoga's being carried into England have come from Philadelphia; & tho' for some time I comforted myself with the hopes that they were true I could never satisfy myself as to their authenticity and it is now so long since they have remained without Confirmation that I fear they were never well founded.

As by your Letter you appear to be interested in the fate of that Vessel I shall be obliged to you for giving me the first Intelligence you may hereafter receive concerning her.

LBC, MHi.

1. Refer to William Semple to WL, Oct. 20, 1781. Semple had written WL requesting any information he may have received regarding the sloop-of-war *Saratoga*, upon which WL's son John Lawrence was a midshipman. Although lost at sea, rumors persisted that the ship had been captured by the British. See WL to Henry Brockholst Livingston, Sept. 17, 1781.

### From Catharine Livingston

Philadelphia 6th November [1781]

Dear Sir

I received your packet this morning, & have disposed of the enclosed letters in such channels as promise a safe conveyance.<sup>1</sup> I expect to leave Town to morrow morning [&] lodge at Mr. Swifts to morrow night, & to do myself the pleasure of dining with you on Wednesday. I purpose paying you & Mama a visit,<sup>2</sup> & if it meets with yours & her approbation to return with Mrs. Harldston, she is a daughter of your old acquaintance Mr. Linck, she is going to try to effect seeing two of her sisters, one a Widow, the other a single Lady, both daughters of Mr. Linck's, they went to New York for their health the british would not suffer them to come here, unless they would give up their property & not return to Charles Town,<sup>3</sup> they are to return by the middle of this Month, Mrs. Harldston told me there had been application made to you for a pass,<sup>4</sup> but as she had not heard from you & the time drew near for them to leave New York she would go & make an application herself she has not seen her sisters for some years, having married a Continental officer whose estate was in North Carolina she is now a Widow & came up here to see her Mother who is married to General Moultrie.<sup>5</sup>

Last week was a very joyous one owing to Cornwallis's surrender. I hear you were very gay in the little Town of Princeton.

Your other dispatches are half way to France. I committed them to a gentleman that went to Virginia to take Shipping in the first French Frigate that should sail'd with the account of the glorious event of the capture of his Lordship & Army.

Mr. Morris is hourly expecting the french money from Boston.<sup>6</sup> I wish it had come in last Saturday as it would have made an agreeable contrast to the british coullours, four & twenty of which were that day layed at the feet of Congress.<sup>7</sup>

As the dinner is waiting I can only add that I am your affectionate Daughter

CWL

ALS, NN.

1. WL had probably asked his daughter Catharine to forward his letters to the Jays and Brockholst by the fastest available vessel to Europe.

2. Susannah French Livingston remained in Elizabethtown. WL was in Trenton for the assembly session of Oct. 23 to Dec. 29, 1781.

3. For New Jersey efforts to assist southern refugees see WL Message to Assembly, Sept. 20, 1781.

4. Letter not found.

5. William Moultrie, taken prisoner by the British when Charleston fell in May 1780, was held until 1782.

6. For background on the French loan see George Washington to WL, Sept. 3, 1781, n. 1.

7. Washington's aide-de-camp, Lt. Col. David Humphreys, delivered to Congress on Nov. 3, 1781, twenty-four standards surrendered by the British at Yorktown on October 19 (*JCC*, 21:1099; Fitzpatrick, *Writings of Washington*, 23:294–99).

### From Samuel Forman

Monmouth November 7th 1781

Dear Sir

Yesterday application was made to me For a guard, for the Lower parts of Monmouth and Burlington, more Particularly Burlington. The Refugees go & Come there unmolested & Repeatedly Joined by the Inhabitants in their mischiefs under Cover of the Night.<sup>1</sup> A Number of those inhabitants can be pointed out.

My adjutant was beat exceedingly Last monday night on a Presumption that he had been to the Review of that part of the Regiment the preceeding day; his son was also Beaten shamefully on the same account.

A party of about 40 under the Direction of [an?] Officer that is acquainted with that part of the Country, might take a Number of these fellows & wou'd be a protection to the well effected Inhabitants.

I inform your Excellency of the application made to me & wish to

you, to think proper to Order such a guard for one month or Longer as they may Under Service. I am your Excellency Most Obedient Servant

SAMUEL FORMAN

ALS, NN.

1. For most recent accounts of the perennial problem of refugee Loyalists roaming at will in Monmouth, refer to Samuel Forman to WL, May 20, 1781 (NN), and Nathaniel Scudder to WL, June 24, 1781 (NN).

### From Richard Peters

War Office November 9 1781

Sir

We have recieved Information that James Moody is now with a Party of thirty or forty Refugees arrived at little Egg harbour.<sup>1</sup> About one half Mile from the Meeting House “up the Mill Swamp on the West Side at a little Branch running from the Westward into the main Swamp there is a Small Cabbin formed by the Refugees.” These are the Words of our Informant & we thought it necessary to inform your Excellency therof as we have no Troops to send on the Service. We dispatched a few of the City Light Horse after one Hulings who was concerned in the Plan of which you have no Doubt heard for siezing the public Papers;<sup>2</sup> but he being in philadelphia heard of the Apprehension of the Spies now in Custody<sup>3</sup> & has made his Escape to New York. We have the Honour to be with great Respect Your very obedient Servant

RICHARD PETERS

ALS, NN.

1. For a report on movements of British guerrillas see Dirck Romeyn to WL, Oct. 27, 1781.
2. For the Loyalists' plan to seize congressional papers see Moody's *Narrative*, 43.
3. John Moody and Lawrence Marr were arrested. See Moody's *Narrative*, 46.

### To Levinus Clarkson

Trenton 10th Nov. 1781

Sir

Nothing is more common than for a man to bring himself into trouble by his obliging disposition. It is a persecution that we must expect to

suffer for our politeness. This is precisely your case. By your great civility in taking the trouble of procuring for Mrs. Livingston her Winter Store of flour, you have drawn upon yourself the application of her husband to procure him his winter store of oysters. Those which generally come from the shore are scarcely eatable & from the Eastward few or more come here for sale. I should therefore be greatly obliged to you for engaging me 30 or 40 Bushels, & to inform me (with the prices) of the time when I am to send a waggon for them. I am

LBC, MHi.

### Petition of the Inhabitants of Little Egg Harbor

November 12th 1781—

To His Excelency William Livingston Esquire Capt. General & Governor In & over the State of New Jersey & Territories thareunto Belonging.

May it please Your Excelency Whereas the Inhabitants of the township of Little Egg harbour in the County of Burlington & State of N. Jersey & the Inhabitants of the Adjacent Township of Stafford in the county of Monmouth Doe Sufer on Sevral accounts for the Want of a Millitia or Continental Gaurd To protect them from the Ravages & Devastations of the Refugees Which they are Committing Evry Day By taking & treating them in an Unhumane & Savage maner<sup>1</sup> & on the Other Hand they are Sensured By our owne people for Harboring & Secreting of them & holding a Coraspondence With those Creatures, tharefore We your humble petitioners Pray your Excelency to Send a Sufficent Gaurd to Protect them from those Creatures for Which Favour & Request we will for your Excellency Ever pray

JOSEPH RANDOLPH	SILVESTER TILTON
SILAS CRANE	JOSIE HALLSEY
SAML. BENNET	NATHAN CRANE
REUBEN RANDOLPH	EBINIZOR TUCKER

DS, MHi.

1. For recent attacks on Little Egg Harbor see Samuel Forman to WL, Nov. 7, 1781, and Richard Peters to WL, Nov. 9, 1781.

## From Richard Peters

War Office Nov. 13. 1781

Sir

We have the Honour to enclose Copies of the Confessions of John Moody & Lawrence Marr convicted of being Spies in this City.<sup>1</sup> The former is executed<sup>2</sup> but we have respited Marr 'till the 23d instant<sup>3</sup> & by this Time we beg to be favoured with your Answer that if he can be useful in detecting or bringing to Justice the disaffected Persons mentioned in the Confessions he may be farther respited for the Purpose.<sup>4</sup> We have the Honour to be with great Respect your very obedient Servants

RICHARD PETERS

ALS, NN.

1. Copies not found. For trial of John Moody and Lawrence Marr see *JCC*, 21:1109.
2. John Moody was executed in Philadelphia (*Royal Gazette*, Nov. 21, 1781; Moody's *Narrative*, 46–52).
3. Lawrence Marr was executed in November 1781.
4. WL's response has not been found.

From John Hanson<sup>1</sup>

Philadelphia Nov. 15. 1781.

Sir,

Congress feel themselves reduced to the disagreeable necessity of directing me to write to your Excellency respecting the deficiency of a Representation from your State.<sup>2</sup> For a Considerable time past only seven States<sup>3</sup> have been represented, and those merely by the essential number of Delegates. From this information you will readily conceive, without a minute & painful detail, the numerous inconveniencies and real dangers they are subjected to, abstracted from every consideration of interest, honor and reputation. The most important powers vested in Congress by the Confederation lie dormant at this time by reason of the impunctuality of the Delegates of six States, in point of attendance, and some of those powers too indispensibly necessary to be exercised at this great and important Crisis.

Permit me, Sir, to flatter myself that it is superfluous to urge any thing more upon this delicate but momentous subject; and to hope that your Excellency's influence will be exerted to prevail upon your State to send forward and keep up a full representation in future. I have the honor to be, with great regard, Sir, Your Excellency's Most Obedient & very humble Servant,

JOHN HANSON

LS, NjMoHp.

1. Hanson was elected president of the Continental Congress on Nov. 5, 1781.
2. On Nov. 2, 1781, the New Jersey Legislature elected Elias Boudinot, William C. Houston, Abraham Clark, Silas Condict, and Jonathan Elmer to represent the state in Congress (*JCC*, 21:1102).
3. At the congressional session of Nov. 16, 1781, ten states were represented, including New Jersey (*JCC*, 21:1118–19).

### To Levinus Clarkson

Trenton 16 Nov. 1781

Sir

After having read your Letter<sup>1</sup> respecting Mrs. Howard's<sup>2</sup> pass fourteen times over I discovered something relative to Mr. Beach,<sup>3</sup> which from what has passed between him & me, I presume respects his going to New York concerning which I gave him some encouragement after a change of the then Situation of our affairs should take place, circumstances at that time rendering all Intercourse with the Enemy highly improper: Those Kinds of Encouragement however & even if they should amount to a Promise I never consider in the light of an engagement in my private capacity which is always to be complied with whatever personal loss I may sustain by the performance. I even consider them as accompanied with the tacit condition of their not appearing injurious to the commonwealth nor repugnant to the ideas of the majority of those who compose it when the application is made in consequence of them. Respecting the present case; I find that notwithstanding the Sentiments of the Citizens of New Brunswick in favor of Mr. Beach's motion, the people in general as far as I have been able to learn are extremely against it: & in many cases we *ought* & in the present crisis of affairs we *must* in prudence pay particular attention to prevailing opin-

ions. But to express myself Methodically as the Subject is a Divine & a Scholar, I shall reduce the remainder of my Letter to the following heads.

1. I can declare upon the word of a man of honour that in point of obliging any religious denomination as such & abstracted from the consideration of their maintaining tenets or rather committing overt acts incompatible with our Independence I am perfectly indifferent to all without the least partiality in favour of one to the prejudice of another.

2d. It appears to me extremely odd that the [plate?] in question, (the proposed design of the Errand into the Enemy's Lines) cannot be got from New York without Mr. Beach's personal attendance to receive it considering the number of opportunities by which it may be conveyed to him. This reason for going will with many people probably induce a suspicion that Mr. Legrange's<sup>4</sup> seeming caprice in refusing to deliver it upon any other terms (for a confounded whim if real it certainly is) cannot be accounted for upon any other principle than that of a concerted plan between him & Mr. Beach to procure by that means a pass for the latter under the plausible pretext of a concern for Religion (often made use of as a Cloak for licentiousness) when his real business may only be to consult some oracles at New York how far it shall & may be lawful for him to assume the appearance of a Good Citizen here without forfeiting his stipend elsewhere etc. I say many people will think so & even say so.

3d. Though I sincerely hope there never will & from the express provision of our Constitution I know there never can be the least discrimination between sects of protestant christians amongst us & *a fortiori* no persecution yet it will certainly be expected of all Congregations in this State to be good Subjects & to pray for the State they live in (which I believe no good subjects have ever hesitated to do).<sup>5</sup> I can see no reason why Mr. Beach cannot give us a specimen of his proposed proceedings in the public prayers of his Church as well previous to his going to New York as after by praying for the Congress & the present Government established under the authority of the people.<sup>6</sup> This can doubtless be done for some weeks not only without the [Decrimental?] vessels now in New York<sup>7</sup> but without any other in their room & this would in all probability have a considerable tendency to reconcile the people to his intended jaunt.

4th. I hear that Mr. Beach has been extremely unprudent in certain

declarations that escaped him on the News of Lord Cornwallis's capture!<sup>8</sup> I have no objection to your reading this Letter to that reverend Gentleman as there is not a Sentiment in it by which I mean to give him the least offence & am confident from his private character that he must prefer candour & frankness to duplicity & disguise. As my time Sir is very precious to me & too much of it consumed in answering such solicitations, I hope this may close all correspondence on this Subject at least until I hear that your friend does not disrelish the third article of this Capitulation which must beyond all question be a *sine quo non*.

LBC, MHi. Sedgwick Transcription.

1. Letter not found.
2. Dr. Charles Abraham Howard and Levinus Clarkson were both vestrymen of the Anglican Christ Church in New Brunswick.
3. Rev. Abraham Beach, a Loyalist, was rector of Christ Church in New Brunswick.
4. Bernardus Lagrange (or Legrange), a former New Brunswick lawyer and vestryman of Christ Church and an active Loyalist, had fled to New York in June 1777 when the British evacuated New Brunswick.
5. For WL's opinion on the compatibility between religious belief and the duty of a citizen to the state see WL to Samuel Allinson, July 25, 1778, vol. 2: 399–404.
6. In July 1776, Beach had closed his church rather than obey an order to omit the prescribed prayers for the king and royal family. Except for a brief period in 1777, when the British occupied New Brunswick, Beach did not reopen the church until Christmas Day, 1780, when he made the necessary revisions. WL's suspicions of Beach may have had foundation. There is evidence that Beach, in an attempt to reopen his church, was soliciting the opinions of his fellow Anglican clergy on the necessity of complying with the order on prayers for the king. Refer to Abraham Beach to—, Oct. 4, 1780, in Walter Herbert Stowe, "Additional Letters of the Reverend Abraham Beach: 1772–1791," *Historical Magazine of the Protestant Episcopal Church*, 5:(June, 1936), 130–31, and to Abraham Beach to Reverend Maurice, Jan. 4, 1782 in Walter Herbert Stowe, "The Reverend Abraham Beach, D. D.," *Historical Magazine of the Protestant Episcopal Church*, 3:(June, 1934), 90–91.
7. Adm. Robert Digby's fleet had entered New York Harbor on Nov. 14, 1781 (Smith, *Historical Memoirs*, 2:464).
8. Rev. Beach's friend Thomas Bradbury Chandler, the former rector of St. John's Church (Anglican) in Elizabethtown, commiserated with Beach on Cornwallis's surrender in a letter from London of Dec. 3, 1781: "The late blow in Virginia has given us a shock, but has not overset us. Though the clouds at present are rather thick about us, I am far . . . from desponding. I think matters will take a right turn." Refer to Rev. Edwin Francis Hatfield, *History of Elizabeth, New Jersey, including The Early History of Union County* (New York, 1868), 548.

## To Robert R. Livingston

Trenton 19 November 1781

Dear Sir

A thousand avocations have hitherto prevented me from acknowledging the receipt of your favour of the 12th instant.<sup>1</sup> I entirely approve of what you recommend,<sup>2</sup> I see its utility, & most heartily wish to have it carried into execution. But it is impossible for me to collect the requisite facts unless the Legislature interposes in the matter, by appointing persons in every County & making it worth their while to investigate it.<sup>3</sup> I have some encouragement to hope that our Assembly will take it up, but from long experience I am never too sanguine in such expectations. I have the honour to be with great respect Dear Sir your most humble Servant

WIL: LIVINGSTON

ALS, DNA:PCC.

1. Refer to Robert R. Livingston to WL, Nov. 12, 1781 (NN).
2. Robert R. Livingston, secretary of foreign affairs, reminded state governors that Congress had requested an estimate of the cost of damage done by the British.
3. On Dec. 20, 1781, the assembly passed "An Act to procure an Estimate of the Damages sustained by the Inhabitants of this State from the Waste and Spoil committed by the Troops in the Service of the Enemy and their Adherents, by the Continental Army, or by the Militia of this or of the neighbouring States." The appraisers were to be paid 7s.6d. per day, with an additional payment of 9d. for every sheet of inventories or vouchers filed (*Acts* [Nov. 2–Dec. 29, 1781], 6–9).

## To William Maxwell

Trenton 19 Nov. 1781

Sir

I never received your Letter of the 28th of October<sup>1</sup> till two or three days ago. I am much obliged to you for your friendly expressions in it respecting my Election.<sup>2</sup> It was it seems unanimous, & I think we never had an assembly more harmonious in every respect, or from which we entertained greater hopes of spirited measures & full Justice to all pub-

lic creditors.<sup>3</sup> A little time will shew whether these expectations are well founded. We only lament that we were obliged to part with a certain good natured & very honest Irishman who had blundered himself from us by making a little bull<sup>4</sup> that a man could be siezed of a freehold without a conveyance for it. But it is to be hoped that the mistake will be so rectified that his Country may before long be profited by his Services in the Legislature.

Your character of Colonel Beavers<sup>5</sup> shews the goodness of your heart & I really believe he deserves it because you give it. I am much a stranger to his Character, & always take greater pleasure in hearing a good than an ill report of any man. The only thing that ever gave me a disadvantageous opinion of him was that he seldom or ever turned out his Battalion & as I had always observed that our Militia turned out well or ill in proportion to the activity or inattention of the officer it was natural for me to suppose him less active than he ought to be. But there is no rule without an exception, & I have since had reason to think that the backwardness of his men is really to be ascribed to another cause, that of their living under the influence once of a certain pestilent Tory in Hunterdon who takes infinite pains to prejudice them against our Independence.

LBC, MHi. Sedgwick Transcription.

1. Refer to William Maxwell to WL, Oct. 28, 1781 (NN).
2. For WL's reelection as governor see WL to the Legislature, Oct. 30, 1781.
3. On Dec. 20, 1781, the New Jersey Assembly attempted to pay off the people to whom it owed money with the passage of "An Act for the more speedy Settlement of the publick Accounts" (*Acts* [Oct. 23, 1781–Dec. 29, 1781], 22–27).
4. making a little bull: engaging in deception or fraud.
5. Joseph Beavers, colonel of the second regiment of the Hunterdon County militia.

To John Mehelm

Trenton 21st November 1781

Sir

On my being elected to the Government in October 1780, I informed the then Assembly by Letter to the Speaker,<sup>1</sup> after having pointed out how greatly I had suffered in the payment of my Salary by the depreciation of the money,<sup>2</sup> that I accepted the appointment for the then

ensuing year, in confidence that whatever the Salary might be, the honourable House would make it good. As I never received any answer to the terms of this acceptance, I had reason to conclude that their silence evinced their acquiescence; and as our Legislatures are annual; unless every succeeding one, thinks itself bound by the Engagement of its Predecessors, it is certain that all faith in Government must necessarily be annihilated. And indeed had I made no intimation whatsoever on the Subject, I cannot presume that the present Legislature would think it reasonable that I should be paid the nominal sum stipulated without any allowance for the depreciation of the money;<sup>3</sup> which would in effect amount to a declaration that my Services were not worth above four hundred Pounds a year, & that such salary was a sufficient Support for any creditable family. And I can assure the honourable House that the augmentation of my fortune was never my object in accepting of any office so neither ought the State to expect that, besides a man's time, especially when he devotes the whole of it to the public service, to the necessary neglect of his domestic affairs, he should also exhaust his private patrimony. That the money is depreciated Sir, is not my fault; but Should I be obliged to receive it for what it is not, I should nevertheless bear the punishment. It is probable that the Legislature will finally keep their faith respecting its redemption. But that avails not me nor any other public officer who does not hoard up the money in Speculation, but must part with it at its current value. To conclude Sir, I rely on the honour and Justice of the house. I am not soliciting for favours. I only ask for Justice. That is due to every man; & *that*, I am persuaded, so respectable a Body as the Representatives of the people of this State will deny to no man. I have the honour to be with great respect Sir, your most humble Servant

WIL: LIVINGSTON

ALS, Nj.

1. See WL to Josiah Hornblower, Nov. 1, 1780.

2. See WL's Proclamation of June 2, 1781, for the last rate of depreciation.

3. The legislature had received several other complaints about the effects of depreciation in salaries. WL forwarded these letters and his own to the committee drafting a new act for support of the government. WL's salary was initially set at £600 per year, but was raised to £650 a year on Dec. 29, 1781 by "An Act for supporting the Government of the State of New Jersey, to Commence the thirteenth Day of October, One Thousand Seven Hundred and Eighty-one, and to end the second Tuesday in October, One Thousand

Seven Hundred and Eighty-two, inclusive" (*Acts* [Nov. 2–Dec. 29, 1781], 56; *General Assembly* [Oct. 23–Dec. 29, 1781], 7, 9, 40).

### To John Mehelm

Trenton, 23d Nov. 1781

Sir

Having reason to think that several members of the house are greatly mistaken with respect to the Governor's perquisites I think it incumbent on me in Justice to myself to undeceive them. I find that all the writs of Error, Attachments Dower, Replevin & Subpanas & all others that have been sealed with the great Seal since October 1780<sup>1</sup> to the present day amount to 77 which at 3/ a piece which is the highest sum I receive for them when I receive any at all is £11.11 & all my other perquisites of which those of the prerogative Court are the principal including this same £11.11 fall considerably short of £100 per annum. This Sir I do assure you is Such upon the honour of my Office & with which I shall be obliged to you for acquainting the honourable House to prevent all further mistakes on this head. When the first Assembly fixed the Governor's Salary at £600 it was on supposition that the perquisites of Government amounted to £400 a year & the fees on Commissions were then considerable but these were soon after abolished without any compensation in lieu of them.<sup>2</sup> I am

LBC, MHi.

1. See Commission to Charles Pettit, Sept. 5, 1776, 1:137–38, for WL's authorization to use the seal on legal documents.

2. WL is referring to "An Act for augmenting the Fines and fees of Civil Officers, and others," passed Oct. 6, 1780. This law repealed increases in fees received after Apr. 1, 1780 (*Acts* [Sept. 29–Oct. 7, 1780], 135).

### To Peter Augustus Jay

Trenton November [25] 1781

My dear little Peter Jay

I was in hopes to have seen you in the Jerseys long before this time, as you had promised me to stay but one or two months with your Grand-

papa Jay.<sup>1</sup> But now I hear that you are to stay all the winter in York state. I long so much to see my dear little P. that it will be very hard for me to wait till the spring to see him. But if your Grand Papa Jay says that you must stay with him so long you ought to do it & I shall be the more easy to have you so long from home because I hear that you will be put to school where you are & where I hope there are no Tories as you know there are at Elizabeth Town. But then I hope that when you are at school you will mind your book like a good Boy & then grand Papa Livingston will give you a pretty little horse with ears like a deer as soon as you can ride upon him & your papa Jay will bring you a great many fine things from Spain. But if you don't mind your book & learn to read & to write too this winter then you will be a Dunce & I shan't love you, & you can't have the little horse with ears like a deer but I must give him to your little cosin Watkins,<sup>2</sup> & mamma Jay will be very sorry when she shall hear it because she says in her Letter to me that she hopes that Peter will learn to write this winter & that he will send her a Letter next Spring that shall be all written with his own dear little fingers. Be sure therefore to learn to write this winter that you may send your Mamma a Letter in the spring. And I know that you can do it if you will, because you are a smart little boy, that can learn any thing, but then you must mind your book & your writing, & not think of play while you are at school, but only in play time & then you may play as much as you will.

I hope my dear little Peter will come back again in the Spring to Jersey State because he knows that grand mamma cannot do without him & that in the time of gardening he must help grand mamma to sow the garden for how can she do without him? and I hope before the Spring there will be no more Tories in Elizabeth Town & that General Washington will drive all the Regulars out of New York back again to old England to King George who is a Dunce. You must send me an answer to this Letter as soon as you can for I long very much to hear from you & until you can write yourself you must ask your Uncle Fady<sup>3</sup> to write the Letter for you, but then you must tell him what to write & so it will be your letter for all that uncle Fady writes it for you. And you must tell me something about Hudson's river which is a greater river than Raritan river at Brunswick, which was the first river that Peter had ever seen when he came to meet his Grandpapa Livingston at Cosin David Clarkson's,<sup>4</sup> & when Peter said to his Grandmamma that the more we go abroad the more we see of the world. Have you heard that

General Washington has taken Lord Cornwallis? [ . . . ] & his whole army that is a great great many of the regulars that P. saw march between the house & the garden when they went to burn Springfield. But they don't look so fierce now that they are Prisoners to the continental Army as they did then. No they look like a little dog with his tail between his legs. And so hurra for the Congress & for General Washington. Good night my dear little boy, & when you can write then I will call you a little man. I am

LBC, MHi. Sedgwick Transcription.

1. Peter was at his grandfather Peter Jay's house. See WL to Susannah Livingston, Oct. 25, 1781.
2. WL's grandson, John Flint Watkins. See Susannah French Livingston to WL, Oct. 28, 1781.
3. John Jay's brother, Frederick Jay.
4. WL's brother-in-law.

### To Thomas McKean

Trenton 29 November 1781

Sir

I take the Liberty to introduce to you the honourable John Wheelock President of Dartmouth College. If you view in the same light, that I do, the Utility of that Institution which was at first set on foot by this Gentleman's father, who presided over it till his death' and who with unwearied pains, & an inextinguishable zeal for the promotion of Religion & Literature surmounted innumerable Obstacles in its progress, you will want no arguments of mine to induce you to patronize the object of his present application. Your public Spirit for encouraging all Undertakings of this nature will, I trust sufficiently apologize for this trouble from Sir your most obedient & very humble Servant

WIL: LIVINGSTON

ALS, PHi.

1. Dartmouth College had been founded in 1769 by Eleazar Wheelock, who died in 1779.

## From Henry Brockholst Livingston

Madrid 1st December 1781

My dear Sir,

We are so destitute of every species of intelligence at present, that, after requesting your care of the enclosed letters,<sup>1</sup> there is scarcely any thing worth calling your attention to, unless indeed I should attempt to engage it by the conjectures of the Politicians here, but as those are not always infallible, you will readily excuse my forbearing to repeat them.

The Emperor at present attracts the attention of Europe.<sup>2</sup> The many salutary laws he has already given to the Empire prove him not less a wise legislator, than his former campaign shewed him an able General.<sup>3</sup> He seems bent upon weakening the power, & diminishing the number of the clergy in his dominions. The measures, he is taking for this purpose, cannot fail to imbroil him with the Court of Rome. The Pope has certainly taken umbrage at many of his late Edicts, and particularly at Those in favor of Protestants, by which they are tolerated in many of the principal Cities of Germany, where heretofore they were not admitted.<sup>4</sup> His Holiness has remonstrated on the Subject. But what Effect his representations have had on the Emperor is still a secret. Those who are not Strangers to his Character say, he will not be much intimidated by the terrors of an excommunication.

There is room to hope that, while the Court of Vienna is so taken up with the internal Police of the Empire, she will continue in her present pacific dispositions, & that all the Expectations of G. Britain from that quarter will be vain.<sup>5</sup> At any rate, should she think it her Interest to become a party in the war, Prussia will not fail to be a thorn & a sharp one in her side.<sup>6</sup>

It is certain that England has rejected the mediation of the Northern Powers in favor of Holland.<sup>7</sup> They wished to bring about an accommodation on the principles of the armed Neutrality & as the Court of London will not listen to these terms all prospect of a seperate peace between Great Britain & the States-General is at an end. The former is distracted enough to insist upon the Succours she demanded from the Republic before her declaration against it. If the Dutch disputed the

English construction of the treaty of Westminster,<sup>8</sup> before the commencement of hostilities, it is hardly probable they will submit to it, after the haughty & unworthy conduct of that nation towards them. England threatens Holland with losses in the East Indies, & the Dutch themselves are uneasy about Batavia.<sup>9</sup> The Cape of Good-hope however is safe, & that was certainly the principal object of Governor Johnstone's expedition.<sup>10</sup>

The Spaniards had a pretty peice of success last week in the mediterranean. Out of eight English Cutters, which attempted to get into Gibraltar, six fell into the hands of their [ . . . ] Admiral & he was in chase of the remaining two when the express came away. The cutters were loaded with provisions & other stores most essential to the Garrison.

We were never more impatient for news from America. If the situation of Cornwallis be not too highly coloured, we are certainly not too sanguine in hoping that something better than a Bourgoynade of him has taken place before this time.<sup>11</sup> I am Dear Sir Your very dutiful Son

HARRY B LIVINGSTON

ALS, NN.

1. Letter not found.
2. Joseph II, emperor of the Holy Roman Empire.
3. The Austrian campaign against the Prussian army in Bohemia in July 1778, resulted from the Austrian attempt to annex Bavaria. Though Joseph II did not gain Bavaria, he did secure the Inn Viertel, a strip of land on the right bank of the Inn River between Salzburg and Passau.
4. Joseph II was determined to increase the power of the state at the expense of the Catholic church and Pope Pius VI. Diocesan boundaries were reshaped to conform to national territories; monasteries solely devoted to contemplation were closed; seminaries were placed under the exclusive direction of the government; and civil marriage was introduced. The Edict of Toleration, promulgated Oct. 13, 1781, granted non-Catholics citizenship rights and went a considerable distance toward granting freedom of worship.
5. Joseph II was developing an elaborate police system to ensure that his numerous edicts were carried out by officials and followed by the population.
6. For the relationship of both the Hapsburg emperor and the Prussian monarch in the conflict between England and America see Henry Brockholst Livingston to WL, Sept. 16, 1781.
7. The League of Armed Neutrality insisted on the right of the Netherlands, as a neutral, to trade with all belligerents. See Henry Brockholst Livingston to WL, Sept. 16, 1781, n. 7.
8. The Anglo-Dutch Treaty of 1674. The British demanded compensation from the Dutch for conquests which had been returned to the Dutch by the treaty.

9. The city and seaport on the north coast of Java, now Jakarta, and including the coastal lowlands and the island group in the southwest Java Sea.

10. See Henry Brockholst Livingston to WL, Apr. 1, 1781.

11. A reference to the surrender of 5700 British troops under General John Burgoyne at Saratoga, N.Y., on Oct. 17, 1777. See "Hortentius," Dec. 8, 1777 [Dec. 17, 1777], 2:137-40.

### From Henry Brockholst Livingston

Madrid 3rd December 1781

My dear Sir,

It is with very particular pleasure I haste to acknowledge the receipt of your favor of the 17th September last. It came to hand late last night in the very moment we were felicitating ourselves on the accomplishment of the glorious Event you predict.<sup>1</sup> Accept of our most hearty congratulations thereon. Our Expectations had been raised to a very great pitch & were yesterday realized by a Courier Extraordinary who brought us a french copy of the capitulation from Paris. This Cornwallade is considered here & must be every where else as much the severest shock G. Britain has experienced during the war. Indeed considering the Period at which it has taken place, we may hope it will prove decisive, & be the forerunner of an honorable, independent peace. England will find it next to impossible to replace such an army. She is already scant of troops & whatever she may wish the world to believe, the Nation are heartily sick of the American war. The news of his Lordship's surrender must reach London in a very critical moment. The Parliament will be opening & will not want subject for debate.<sup>2</sup> It would not surprise me should every foot of the United States be evacuated before the close of another Campaign. The capitulation is much approved of here. Without giving up any essentials, every Indulgence & honor has been granted The Enemy, which a brave & great Soldier will never fail to Shew to his Profession in distress. Our Spanish friends regret much that the New London Hero has escaped, & think nothing would have been wanting to complicate our success but that Arch-traitor fallen into our hands.<sup>3</sup>

Your Letter was acceptable on more accounts than One. It revived our hopes about a Brother whom we had already lamented as lost &

buried in the Ocean.<sup>4</sup> You may rest assured of not a moment's being lost in taking the necessary measures for procuring certain information of his fate. By this night's Post, I write to Bordeaux, Nantes, & L'Orient. The vicinity of the last Port to England & American Prisoners sometimes arriving there from English Sails, induce me to hope we shall hear something from that quarter. Should Johnny be in England, Mr. Jay will omit nothing to effect his Exchange. If that be impracticable, he will not be permitted to suffer for want, as Mr. Jay will immediately forward directions to furnish him money, & afford him every other possible relief. I must however confess, that we are not without our fears, that your Information on this subject has not been as well founded as you yourself could wish. Ever since our suspense about Johnny, I have consulted the "Courier de l'Europe"<sup>5</sup> with more than ordinary attention. It is a very exact paper in every thing relating to marine affairs, & has several columns dedicated to accidents & captures at Sea. It has never been my good fortune to see the account of the Saratoga you mention but on the contrary, about a month or six weeks since, I had the grief to have my anxiety strengthened by meeting with a paragraph supposing her perished at Sea, & the Supposition was supported by her long absence from Port without any tidings of her from any quarter. This circumstance, however, shall not slacken my Enquiries & you may rely on being immediately apprised of the result of them. Heaven grant it may be such as we both wish.

With my love, present Mamma my congratulations on the good news, which must have already so much gladdened her heart.<sup>6</sup> I am sanguine enough to indulge the hopes of paying her a visit next Summer without fear of Interruption from her present troublesome Neighbours. I am, my dear Sir, your dutiful Son

HARRY B. LIVINGSTON

NB Father please to send me 100\$ and I will charge the same to what you promised us yearly.

ALS, NN.

1. See WL to Henry Brockholst Livingston, Sept. 17, 1781, where WL described the ongoing siege of Yorktown and the possible surrender of Cornwallis's army.

2. News of the defeat at Yorktown reached London on Nov. 25, 1781, where it gave new life to those Whigs in opposition to Lord Frederick North's ministry.

3. Benedict Arnold and his attack on New London, Conn., on Sept. 6, 1781. See WL to Henry Brockholst Livingston, Sept. 17, 1781.

4. John Lawrence Livingston. See WL to Henry Brockholst Livingston, Sept. 17, 1781.

5. The *Courier de l'Europe* was published in Paris, London, and Boulogne from 1776 to 1789.

6. Possibly the birth of John Flint Watkins, on June 10, 1781, to WL's daughter, Judith, and her husband, John Watkins. See Susannah French Livingston to WL, Oct. 28, 1781.

## To Lord Stirling

Trenton 8 December 1781

My Lord

I have been honoured with your Lordship's Letter of the 26th November.<sup>1</sup> As to your Question whether the Legislature is now sitting & where? They sit here, & I presume from their snail-like speed hitherto, that they will at least sit till Christmas.<sup>2</sup> But I do not think your Lordships attendance will have any effect on procuring the Settlement of the depreciation of pay agreeably to the resolve of Congress passed in September last.<sup>3</sup> If I truly recollect the matter, the Council has postponed the consideration of it upon this principle. They think that how just soever the demand may be, yet that as your Lordship is a continental officer, they may involve the State in difficulties by allowing the claim without knowing the Credit due to the United States from your Lordship which the States may finally subtract from the sum with which we should expect them to credit us; & thus burden this state with the demands the continent has against you.<sup>4</sup> I think this was the reason of the obstruction it met with in Council, & that so the matter rests. I am your Lordships most humble & most obedient Servant

WIL: LIVINGSTON

ALS, PHC.

1. Letter not found.

2. The assembly met from Oct. 23 to Dec. 29, 1781.

3. On Sept. 28, 1781, Congress passed a resolution recommending that the states settle with Continental officers from their respective states the depreciation of their salaries (*JCC*, 21:1020). In October 1781 Stirling had also tried to collect the depreciation of his pay directly from Congress, explaining to superintendent of finance Robert Morris

that New Jersey had refused to pay him. Stirling was still unpaid in January 1782 (Ferguson, *Papers of Robert Morris*, 3:31–32, 486).

4. The New Jersey Assembly resolved on Nov. 1, 1781, that Stirling receive compensation for the depreciation of his pay. The resolution was sent to the council that same day but there is no record of any action having been taken (*General Assembly* [Oct. 23–Dec. 29, 1781], 13; *Legislative Council* [Oct. 23–Dec. 29, 1781], 9).

## Courts-Martial Sentences

Head-Quarters, Trenton, Dec. 14, 1781.

BY HIS EXCELLENCY THE GOVERNOR.

AT a General Court Martial, whereof Colonel Sylvanus Seely was President, held at Chatham, the twenty-third day of October last, by order of His Excellency the Governor,<sup>1</sup> and continued by several adjournments, Lieutenant-Colonel Jacob Crane was tried upon the following charges:

1st. That he traded with the enemy when commanding officer at Elizabeth-Town, in the year 1780.

2d. That he allowed others to trade with the enemy whilst commanding officer at the same place, in the year aforesaid.

3d. That he was so disguised<sup>2</sup> with liquor when on Staten-Island, under the command of General Dickinson,<sup>3</sup> as to be wholly unfit for duty, and also at other times, when commanding officer at Elizabeth-Town, in 1780.

4th. For unofficer like behaviour in an attack of a party of refugees near Elizabeth-Town with a superior force under his command.

The Court having maturely deliberated upon the evidences, are of opinion, and do accordingly find, that Lieutenant-Colonel Jacob Crane is guilty of the first and second charges, and also of the latter part of the third charge, and that the said Colonel Crane is not guilty of the first part of the third charge, nor of the fourth charge.

And the Court do sentence the said Lieutenant-Colonel Crane to be publicly reprimanded by his Excellency the Governor.<sup>4</sup>

By the same Court-Martial was tried Captain Isaac Gillam, upon the following charges:

1st. For neglect of duty in a variety of instances. 1. In staying a great part of his time since his late appointment in the twelvemonth's service of the state, at home. 2. In going home and continuing there several

days and nights when he knew that a number of vessels were coming up Newark Bay, toward Newark, and had got to the mouth of the river.<sup>5</sup>

3. In drawing provisions for himself and men without having the proper necessary returns, or knowing how many men he had on duty, or in town. 4. In not calling the muster-roll, or knowing who appeared on the parade and did duty. 5. In not sending out patrols or placing centries, and not visiting them when placed.

2d. For giving unnecessary and unreasonable furloughs to his men.

3d. For not supporting authority and discipline in his company.

4th. For ungentlemanly and unofficerlike behaviour to Lieutenant Burnet.

5th. For giving permissions to a number of persons to go into and return from the enemy's lines.

6th. For encouraging, protecting and supporting the illicit trade and intercourse with the enemy, and for the sake of a bribe, releasing and discharging a large quantity of goods seized by some of his men, on the way from the enemy's lines, by which means the state is deprived of a considerable sum of money, and the punishment of offenders evaded. The two following charges were made by the Court.

7th. For leaving his company when on its march to Dobbs's Ferry, in the month of August last, without permission.<sup>6</sup>

8th. That before and on the march of the said company to Dobbs's Ferry, the said Captain Gillam did begin and excite a mutiny; and that at the same time and place he did join in a mutiny, and that also knowing of an intended mutiny, he did not without delay, give information thereof to any superior or commanding officer, nor endeavour to suppress the same.

The Court having maturely considered the evidence offered on the several charges against Captain Isaac Gillam, do find him of the first charge guilty in the fourth instance.

In the first instance	not guilty
Second ditto	not guilty
Third ditto	not guilty
Fifth ditto	not guilty
Of the second charge	not guilty
Third ditto	guilty
Fourth ditto	guilty
Fifth ditto	guilty

Sixth ditto	guilty
Seventh ditto	not guilty
Eighth ditto	guilty

And it is adjudged by the same Court that the said Captain Isaac Gillam be deprived of all and every military commission which he holds in the service of this state.

And by the same Court Martial was tried Lieutenant John Burnet, upon the following charges:

1st. For disobeying the orders of Captain Isaac Gillam, his superior officer.

2d. For giving the soldiers of the said Captain's company strong liquor, to induce them to sign a paper which tended to encourage a mutiny.

3d. For ordering the said soldiers to mutiny.

4th. For neglect of duty in suppressing the illicit trade with the enemy.

5th. For refusing to deliver up the muster roll to Captain Gillam.

6th. For abusing the character of the said Captain Gillam.

The Court having considered the evidence, do find Lieutenant Burnet of the

First charge	guilty
Second ditto	guilty
Third ditto	not guilty
Fourth ditto	not guilty
Fifth ditto	guilty
Sixth ditto	not guilty

And the said Court do sentence the said Lieutenant John Burnet to be cashiered.

The Governor having duly considered the evidence produced to the said Court Martial, and the several sentences and acquittals of the same, approves of and confirms the sentence and adjudication of the said Court against Captain Isaac Gillam (whose several offences do not admit of the least palliation, and with which he could not have imagined that any officer of the militia of this state would have stained his character or disgraced his country) and orders the same to take place accordingly.

Relative to the sentence passed by the said Court on Lieutenant-Colonel Jacob Crane, he thinks it more favourable than an officer of his

rank had reason to expect for so atrocious a crime as that of trading with the enemy, and allowing others to trade with them (an offence not only extremely injurious to his country, which had reposed so great confidence in him, but which it was an essential part of his duty and a grand object of the post he occupied, to suppress) and for which, as well as for the other offence proved against him, he is hereby publicly reprimanded.

With respect to the sentence passed by the said Court on Lieutenant John Burnet, it is with great regret that the Governor finds that an officer who has distinguished himself for his zeal and activity in the service of his country, should so far forget the absolute necessity of maintaining subordination and discipline as to disobey the orders of his superior officer, and whatever allowance may be made for the precipitation of youth, or personal provocations offered, the publick interest indispensably requires so pernicious an example to be uniformly discountenanced, and he therefore approves of and confirms the sentence passed by the said Court Martial on the said Lieutenant John Burnet, and orders the same to take place accordingly.

WIL. LIVINGSTON

*N.J. Gazette*, Dec. 19, 1781.

1. For calling of the courts-martial see Courts-Martial Order, Sept. 24, 1781.
2. disguised: intoxicated
3. Philemon Dickinson.
4. Seely feared WL would consider Crane's sentence too light. Refer to Silvanus Seely to WL, Nov. 28, 1781 (NN).
5. This may refer to a Nov. 15, 1780, attack on Newark by one hundred New York Loyalists led by Capt. Thomas Ward. The men used three vessels to reach Newark (*NJA*, Newspaper Extracts, 5:125–27).
6. For the deployment of the New Jersey militia to Dobbs Ferry see Silvanus Seely to WL, Aug. 12, 1781, and n. 1.

### To Peter Augustus Jay

Trenton 14 December 1781

My dear little Boy

Grand Papa Livingston has received your Letter of the 4 December by Colonel Troup.<sup>1</sup> The Colonel says that you are a fine Boy & learn your Book, which I am very glad to know.

The little Boy that beats you will beat you as long as he thinks that you dare not strike him again. So that if you are strong enough to fight him, your best way will be to fight him & then he won't beat you again.

The Boy that eat up your [ . . . ] & then said that he had lost your copper which you gave him to buy it with is a naughty boy & you must not trust him again; & you must never do so by others that trust you for you see how wicked & naughty it is, but you must always do by others as you wish that they should do to you.

I am sorry that you could not get powder to make squibs<sup>2</sup> when you kept the day for Cornwallis being taken. If you had been here at Trenton you should have had powder enough for squibs & crackers too. We fired the great guns bang, bang, bang, & made all the woods roar again.

I long to see you in your boots, & Aunt Susan is a saucy girl for saying that you look in your boots like Hudibras.<sup>3</sup> I believe you looked like a pretty little Trooper ready to fight for Congress any Tory boy in the Land.

Pray mind your book & learn to write, for Mamma Jay must have a letter from you in your own hand next Spring, or she won't bring you any pretty things from Spain unless it be a pretty little boy & that would put your nose out of joint. Ask your grand papa Jay how that little boy would put your nose out of joint & give my Compliments to him.

LBC, MHi. Sedgwick Transcription.

1. Letter not found. The letter was probably delivered by Col. Robert Troup.
2. squib: a small firecracker.
3. Samuel Butler's satirical poem, written between 1662 and 1677, whose hero is a well-educated knight.

## To Henry Brockholst Livingston

Trenton 17 December 1781

Dear Brockholst

My last letter to you was of the 30th October in which I inclosed the Articles of Capitulation on Lord Cornwallis surrender of the posts of York & Gloucester with his whole army.<sup>1</sup> I have since received yours of the 16th & 20th of September.<sup>2</sup> I am much pleased at the great progress you have made in the French language; & I think I have too much

prudence to continue my correspondence un till I know a little more about it.<sup>3</sup>

I was this very day writing to your sister Susan (who spends the winter at the Manor)<sup>4</sup> & before I had sealed her Letter, I received yours to her & in a day or two I expect Colonel Troup from Philadelphia who will carry them both.

The seeds were very acceptable & I hope before long, from the present favourable prospect to be again cultivating my garden. Pray procure me a good assortment of the seeds of flowering shrubs.<sup>5</sup>

Little Peter passed the winter with his grand papa Jay at Poughkeepsie & I had a Letter from him within these four or five days in which he complained that he could not get powder to make squibs on the day of their celebrating Cornwallis's surrender.

The Tories & Refugees are amazingly cowed at that event, & the latter would gladly make their peace with their country on almost any terms; but the people are utterly averse from ever admitting the rascals to return amongst us.

We have no intelligence worth communicating. All things I suppose will remain in tranquility during the winter unless General Green should attack Charlestown at which I should not be surprized. But we hope for an early & vigorous campaign in the Spring, when there is great probability of the English at N. York going to the place from where they came & from thence it is easy to predict whither they will go, unless they alter their manners.

My love to Mr. & Mrs. Jay. I wish you were all back in your own Country & *laat in bet aan anderen om onze independencie to bekenne*<sup>6</sup> at their Leisure, & whether it is ever acknowledged seems to me of little consequence. Maintain it we will.

LBC, MHi.

1. Letter not found, but see WL to Henry Brockholst Livingston, Oct. 24, 1781.
2. Refer to Henry Brockholst Livingston to WL, Sept. 16, 1781 (NN), and see Henry Brockholst Livingston to WL, Sept. 20, 1781.
3. Brockholst's letter of September 16 was written in French. He had joined the Jay mission to Spain with the intention of improving his ability in both French and Spanish. See Henry Brockholst Livingston to WL, May 5, 1780, vol. 3:373–75.
4. Livingston Manor.
5. Brockholst enclosed some seeds in his letter of Sept. 16, 1781.
6. *laat in bet aan anderen om onze independencie to bekenne*: leave it to others to proclaim our independence.

## To Robert Livingston

Trenton, 17th Dec., 1781

Dear Brother,

I hear that your very numerous family is going to be increased by the addition of one of mine.<sup>1</sup> I fear S[usannah] will be troublesome to a house so overrun with company as yours. But my poor girls are so terrified at the frequent incursions of the refugees into Elizabethtown, that it is a kind of cruelty to insist on their keeping at home, especially as their mother chooses rather to submit to her present solitary life than to expose them to such disagreeable apprehensions. But she herself will keep her ground to save the place from being ruined, & I must quit it to save my body from the provost in New-York; so that we are all scattered about the country.<sup>2</sup> But by the blessing of God, and the instrumentality of General Washington and Robert Morris, I hope we shall drive the devils to Old England before next June. The naval operations of the United Provinces (by a letter I lately received from a noble correspondent),<sup>3</sup> appear still greatly retarded by the faction of the Prince of Orange. If the patriotic party cannot give his serene highness a Dutch for an English heart, I hope that, rather than suffer themselves to be outwitted by him, he may be *Dewitted*<sup>4</sup> by them.

Cornwallis's party in New-York is open-mouthed against Clinton and throws all the blame of his lordship's capture on Sir Harry.<sup>5</sup> The latter justifies himself by the impracticability of affording succours after the arrival of the French fleet. Whether either of them is to be blamed for this disaster I know not, but I know somebody on whom they may safely throw it, and who is very willing to bear it, General Washington.

I should be very sorry to have Clinton recalled through any national resentment against him, because as fertile as that country is in the production of blockheads, I think they cannot easily send us a greater blunderbuss, unless peradventure it should please his majesty himself to do us the honour of a visit. I am, etc.

WIL. LIVINGSTON

Sedgwick, *Livingston*, 369–70.

1. WL had urged his daughter Susannah to visit her uncle in October. See WL to Susannah Livingston, Oct. 25, 1781.

2. For WL's departure from Trenton see Susannah French Livingston to WL, Oct. 28, 1781.

3. See Baron van der Capellen to WL, Aug. 15, 1781.

4. WL is referring to Jan De Witt who, as a leader of the aristocratic republicans of Holland, led that faction in assuming control of the Dutch States General after the death of William II in 1650. De Witt was killed in 1672 during a popular rising in favor of the House of Orange. William III, later king of England, was made head of state.

5. Reports of bickering between Clinton and Cornwallis were rife in New York in November (Smith, *Historical Memoirs*, 2:468). Cornwallis sailed for England in mid-December 1781 (*NJA*, Newspaper Extracts, 5:344).

## To Susannah Livingston

Trenton 17 December 1781

Dear Sukey

I have received Peter Jay's Letter by which I find that you was then at Poghkeepsie.<sup>1</sup> By this time I suppose you are at the Manor,<sup>2</sup> from whence you must write me as often as you have an opportunity. I hope this will be the last winter that we shall live in so dispersed a manner. I am most heartily tired of this kind of life. Your Mamma will have a very solitary winter of it. But she prefers that to your being at home & in constant fright of the Enemy.

Caty returned last week from Elizabeth Town to her old Quarters in Philadelphia.<sup>3</sup>

I have had two letters from Brockholst so late as September.<sup>4</sup> But my poor Johnny, I never expect to hear from.<sup>5</sup> I lately writ you a long Letter, but Mamma received it just after Mr. Jay left our house, & I suppose she has had no opportunity to send it since. I am your affectionate Father

LBC, MHi. Sedgwick Transcription.

1. Letter not found.

2. Livingston Manor.

3. WL's daughter Catharine was visiting her mother. See Catharine Livingston to WL, Nov. 6, 1781.

4. These may have been Brockholst's letters of April 1781. See Henry Brockholst Livingston to WL, Apr. 1, 1781, and Apr. 29, 1781. See WL to Henry Brockholst Livingston, Sept. 17, 1781.

5. For latest reference to the loss of John Lawrence see Henry Brockholst Livingston to WL, Dec. 3, 1781.

## To Abraham Ten Broeck

Trenton 17 December 1781

Sir

Having no particular acquaintance with Mr. Bogert,<sup>1</sup> nor any personal knowledge of his literary Accomplishments, but having received a general favourable Account of him as a good Scholar & a man of an amiable character & that he is at present engaged in the Study of Divinity, instead of applying to him on the receipt of your Letter of the 22d of November (which was long in its passage to my hands)<sup>2</sup> I immediately communicated the substance of it to Colonel Taylor<sup>3</sup> who has at present the superintendance of Queen's College. He must be intimately acquainted with Mr. Bogert & being both a competent Judge of the requisite Qualifications, & a Gentlemen in whose honour I can rely, I have requested him to engage Mr. Bogert if he can be procured on your terms & he thinks him duly qualified for the purpose, or otherwise to recommend to me some other Gentleman who shall answer your Expectations. I daily expect Colonel Taylor's answer, & as soon as I receive it, you shall hear further from me on this Subject.

You needed no Apology Sir, for giving me this agreeable Commission. Every man who has a proper sense of the importance of Education, will think it his duty to use his influence for its promotion & advancement. And I shall always think myself happy in being furnished with an opportunity of demonstrating my attachment to the City of Albany, which has ever distinguished itself by a particular attention to the cultivation of learning, & which I deem it an honour to acknowledge as the native soil of Sir

LBC, MHi. Sedgwick Transcription.

1. John Bogert.

2. Ten Broeck wanted to hire Bogert as a master for his Albany school. Ten Broeck had asked WL to determine if Bogert was interested in the post. Refer to Abraham Ten Broeck to WL, Nov. 22, 1781 (NN).

3. John Taylor.

## To John Witherspoon

Trenton 17th December 1781

Dear Sir

I have received Mr. Marbois's Queries with your Letter that accompanied them.<sup>1</sup> Whether it be from a groundless jealousy or a laudable caution, but I frankly confess *entre nos* that with respect to many of them I do not feel myself disposed to furnish him or any other foreigner with the solution.<sup>2</sup> Some of them indeed seem to be mere matter of innocent Curiosity, & every friend to Science will think himself happy in lending his assistance to disseminate useful knowledge through the Universe. Whether those are inserted for their own sakes, or for the sake of recommending by their harmless company the political ones I know not. But I do know that the Inquiries made by Joshua & his companions into the nature of the soil, the number & strength of the Inhabitants, the cities & strong holds etc. from Zion unto Rahob a much smaller distance than from the Masachusetts to South Carolina proved of no advantage to the Canaanites.<sup>3</sup>

LBC, MHi.

1. Refer to John Witherspoon to WL, Dec. 13, 1781 (NN). Witherspoon had enclosed questions about New Jersey from François de Marbois, the secretary of the French embassy. Two undated pages entitled "Articles on which M. de Marbois desires some details" are in the collection of the Massachusetts Historical Society. These may be the queries enclosed by Witherspoon in his Dec. 13, 1781, letter to WL. The sixteen queries are as follows:

1. An exact amount of the limits & boundaries of New Jersey.
2. The Memoirs published in it's name in the time of it's being a Colony and the Pamphlets relating to its interior or exterior affairs present or ancient.
3. A notice of the Counties, Cities, Townships, Villages, Rivers, Rivulets, and how far they are navigable; also of the Cascades, Caverns, Mountains, productions, Trees, plants, fruits & other natural riches.
4. The number of its inhabitants & the proportion between the whites & blacks.
5. The different Religions received in that State.
6. The Colleges & public establishments, the roads buildings etc.
7. The particular customs & manners that may happen to be received in the State.
8. The present state of Manufactures, Commerce & exterior Trade.

9. A notice of the best seaports of the State and how big are the Vessels they can receive.
  10. A notice of the commercial productions peculiar to that State and of those objects which the inhabitants are obliged to draw from Europe & from other parts of the World.
  11. The weights, measures & the currency of hard money, some details relating to the Exchange with Europe.
  12. The public Income & Expences.
  13. The Measures taken with regard to the Estates and possessions of the Rebels commonly called Tories.
  14. The Marine & navigation.
  15. A notice of the mines & other subterranean riches, some samples of the mines and of the extraordinary stones; in short a notice of all that can increase the progress of human knowledge.
  16. A description of the Indians established in the State before the European settlements and of those who are still remaining. An indication of the Indian monuments discovered in that State.
2. Marbois made his queries at the direction of the French ministry, which requested certain information concerning the several states then forming the American union. Similar queries were sent to all the states. Jefferson's famous *Notes on Virginia* was one of the replies.
3. Rahab is a poetic name for Egypt in the Bible. Refer to *Isaiah* 51:9 and *Psalms* 87:4; 89:10. WL is alluding to the spies Joseph sent into Jericho during the Israelite march of conquest from Egypt to Zion (*Josua* 2:1).

### To Benjamin Lincoln

Trenton 24th December 1781

Sir

I am honoured with yours of the instant.<sup>1</sup> It would greatly distress me should the citizens of this State do any thing to a Prisoner of War<sup>2</sup> when inconsistent with the capitulation, the Law of Nations, or indeed any thing that might under particular circumstances appear low or vigorous tho' with the Laws of this State in their favour. And as far as it is in my power to prevent any disgrace from being brought upon this Government by any such proceeding I shall always most cheerfully exert myself. But I am Sorry the Doctor did not consent to have the trunks opened, which would probably have satisfied the man who seized them.<sup>3</sup> His refusal naturally induced a suspicion that they contained goods contraband, or confirmed the one already formed. This piece of Indiscretion with his not taking the precaution of having the soldier's Cloathing included in his passport for the medicines has I suspect involved him in his present difficulty. I hope however that the Mag-

istrate by whom the seizure is to be tried, will pay a proper regard to the rectitude of his Intention. The peculiar circumstances of his case. But what he urges me to do is entirely out of my department. He wants me so far to interpose in the matter as to write to the Justice<sup>4</sup> on the subject & even to advise him to discharge the goods & says that the Justice told him that a line from me would do the business. If his Worship said so, he certainly mistook his Duty & whatever he would do in consequence of my directions sure I am that he ought not to regard them as authoritative & for that reason I cannot prevail on myself to give them. The man who has seized the goods whether legally or not has a right if he insists upon it to have the matter tried in a due course of Law & they being now in custody of the Law & before the proper Judicature the Executive has no authority to interfere with the judicial.<sup>5</sup> This tho' evident to us appears very different to foreigners educated in arbitrary countries where the mandates of the Chief Magistrate are received for Law. The best advice I can give the Doctor & which I have given him is to apply to some able Attorney & if he should be injured by the first adjudication, he will be intitled to an appeal. It gives one inexpressible Anxiety to find in how great numbers the Prisoners of Cornwallis's army make their escape. It seems to me that we had better submit to almost any expence for securing them, than to suffer the happy effect, of so glorious a victory to be so materially frustrated. No Laws, Sir, that can be framed, except one for the total extirpation of all Tories will ever be effectual for apprehending them on their rout to New York after they have escaped from the place of their confinement. The best way is to keep them there & considering yet the loss of everyone of them is equal to the expence of procuring a recruit by us, I should think that we might afford to be at some charges about it. With great Esteem I am Sir

LBC, MHi.

1. Letter not found.

2. Benjamin Lincoln had been elected secretary of war by Congress on Oct. 30, 1781. As such he was responsible both for the disposition of returning American prisoners of war and the confinement or exchange of British and German prisoners, including those taken at Yorktown. Plans were made to incarcerate the Yorktown prisoners in Lancaster and Philadelphia (*JCC*, 21:1087; Fitzpatrick, *Writings of Washington*, 23:382–84). On June 7, 1782, the New Jersey Legislature, in an attempt to deal with escaped prisoners, passed “An Act to encourage the apprehending all Prisoners of War who have escaped or hereafter may escape from the Place of their Confinement” (*Acts* [May 27–June 24, 1782], 70–71).

3. The physician involved has not been identified and there is no surviving record of a trial.

4. Letter not found.

5. For previous reports of the enforcement of trading laws see WL to Marinus Willett, Mar. 8, 1781. The most notorious incident of military officiousness had occurred Nov. 24, 1781, when a soldier at Elizabethtown shot and killed the reverend James Caldwell. The minister was carrying a parcel that belonged to a New York woman travelling under a flag of truce when he was stopped by a soldier who suspected him of smuggling. Caldwell agreed to return the package to the ship but was shot by the soldier as he stepped on board (*NJA*, Newspaper Extracts, 5:339–40).

### From Andrew Brown

Toms River December 29th. 1781

Sir

Both Duty and Inclination Induces me to acquaint you of the Precarious Situation of the well affected Inhabitants of this Place in Particular, and of the shore in General. The Refugees at this time are more Numerous In this Quarter than has been known Since the War. I am well Informed that they are fortifying at Little Eggharbor where they have made a Stand for a Considerable time.<sup>1</sup> It is not Long since I was there in the flying fish, the Boat you was Pleas'd to Commission,<sup>2</sup> But was attack'd by a Superior force and Narrowly Escap'd being Captur'd. They have a Number of Boats Down there Now and we have Nothing to oppose them with but this one, whose force is not Equal [on] them. I would wish and Pray that some thing may be Done to Drive them from the Shore Either by Land or Water, and that a Guard may be Continued at this Place. We lately Petitioned the Legislature<sup>3</sup> but have had no knowledge of their Determination, would wish your Excellency would Please to Let us know and would wish The men might be ordered Down for the Present till something is Determined on as the time is now out for the Guard that was Stationed here.

We all Look to you as the head and Whatever may Occur in this Quarter I will make it my Duty to acquaint you with, and am with much Respect Sir your Humble Servant

ANDREW BROWN

ALS, NN.

1. See Petition of the Inhabitants of Little Egg Harbor, Nov. 12, 1781.

2. Commission not found. For previous references to privateers see Instructions to Privateer Owners, June 27, 1781.

3. Refer to Petition of Citizens of Monmouth, Dec. 10, 1781 (DLC: Misc.).

## To George Washington

Trenton 1 January 1782

Dear Sir

By recent Advices from Egg harbour, several armed Boats, with a number of men are fortifying on Osburn's Island near Egg harbour with a view as is supposed to receive deserters from the American Army & deserting prisoners taken with General Burgoyne & Lord Cornwallis as well as for the greater convenience of conveying Provisions to New York, which already go from that neighbourhood in immense quantities.<sup>1</sup> The vicinity of that part of the State is so disaffected or intimidated that the refugees have long reigned in it with little or no controul & I fear that the Enemy's lodging themselves there in any Strong holds will be of the most pernicious consequence. Guards of our Militia are whether from want of pay or what other cause, latterly procured with the greatest difficulty;<sup>2</sup> & when obtained are for the want of proper discipline, often from the insignificance & unfitness of their officers, & not infrequently from their being soon corrupted after being stationed on the lines by the alluring profits of the illicit trade<sup>3</sup> of very little public utility. Not that I mean Sir, by this to insinuate the propriety of having any of the American Troops stationed along our lines, much less to request a measure that is liable to many inconveniences. But how far it may be proper for a detachment of them to dislodge the Enemy from that post, & thereby to disconcert the measures established by them for facilitating the trade in that neighbourhood & to prevent the well affected in those parts from deserting their habitations which they announce the necessity of doing & thereby extending the enemy's lines, I entirely submit to your Excellency's better Judgement. I have also intelligence of James Moody's being again out with a party of six or seven men. He lately declared that he intended to take one of the Members of Congress in Philadelphia to revenge the death of John Moody not long since executed as a Spy, which to a Fellow of his Enterprize & so cherished by the Tories as he is is not impracticable. Other Intelligence from New York represents his object to be a person of less consequence in this Town.<sup>4</sup> At any rate from the mischief he has already done, & his intimate knowledge of every part of this Country together with his ex-

tensive connections with the disaffected amongst us, it would I think be worth some pains to prevent his further progress.

I mentioned the affair of Egg Harbour to Lord Stirling, & his Lordship promised me to converse farther with your Excellency on the Subject. I wish your Excellency many happy years & with the greatest Esteem I have the honour to be Dear Sir your Excellency's

WIL: LIVINGSTON

LBC, MHi.

1. For recent discussion of deserters and illegal trade see Asher Randolph to WL, Aug. 18, 1781, and refer to the Petition of the Inhabitants of Monmouth County, Dec. 27, 1781 (NN).

2. For the most recent example of the perennial difficulty in mustering the Monmouth County militia see Samuel Carhart to WL, June 5, 1781.

3. For a recent example of illicit trade see Samuel Hayes to WL, Oct. 7, 1781.

4. For John Moody's execution see Richard Peters to WL, Nov. 9 and 13, 1781.

### From John Cook

Tom's River ye [10th] January 1782

Sir

I received Your Excellencies Letter of 8th Instant.<sup>1</sup> I am Not able to answer Your Excellency as Particular as I would Wish. We Ware under armes all Nite, on Information of about thirty Refugees Being on Horse Within 7 Miles, as to Osburn's Island<sup>2</sup> I have Never Been on. By the Best information it Joines the Maine Land the Entrence is By a Causway Near half a mile and a Bridge of 12 feet or there a[bouts] their fortification I have No Particulars of Nor Cannon. I Suppose they May on occations take Such as they have in their Boats. When occation Requiars, Regular Troops I have No accounts of Being With them, the Refugees By the Best information I can git is from Fifty to eighty, thir Boats are armed the one With a 6 Pounder Swivels etc. The other With 2 Small carage guns Swivels etc. By good Inteligence another Large Armed Boat Went thro the Bay Last Sunday to Joine them & Protect their Trade. Their officers Names that I have Collected, are as Follows Capt. DavenPort.<sup>3</sup> Capt. Whealor. Capt. Samuel Ridgaway. Several of thir crew By information are Such as have Been Pardoned By Your Excellency and Broke Goale, etc., If any Omissions is in giving the Within

Accounts. I hope Your Excellency & goodness Will Exquse them. I am  
Your Excellency's Most obedient and Humble Servant

JOHN COOK

ALS, NHi. Published in New-York Historical Society *Quarterly*, vol. 41, July 1957.

1. Letter not found.
2. Osborn's Island was situated in the marsh area south of Little Egg Harbor village.
3. Capt. Richard Davenport.

### To Lord Stirling

Trenton 11 January 1782

My Lord

Before the receipt of your Lordship's Letter of the 6th instant,<sup>1</sup> I had sent an express with Letters to three gentlemen of note, into a certain part of the Country for the information we want. The Messenger is not returned. Nor do I expect so precise an answer to my Queries when he does return, as Colonel Lawrence,<sup>2</sup> who takes the trouble of this is able to give you. He is not only well acquainted with the State of things in that quarter from general information; but has very recently been on the spot with the command of a party of our militia to dislodge the Enemy.<sup>3</sup> He is a member of our Council, & as the greatest confidence may be reposed in him, I have taken the liberty to communicate to him the intended operations; and do now recommend him to your Lordship's notice, not only for the information which I think him capable of giving, but as a gentleman, whom, from his amiable character, you will be naturally disposed to treat with that attention, to which his merit & station entitle him.

I am obliged to your Lordship for your kind offer of forwarding any of my dispatches to France or Spain. I have a few days since confided my Letters to my Correspondents in the latter Kingdom, to Caty;<sup>4</sup> & I suppose they will be conveyed by the same opportunity which your Lordship has in your eye.

The enemy with about 300 men, (a motley of British & refugees) have made an irruption into the City of Brunswick by water; have captured Capt. Heyler's gun boats (one of the first rates of New Jersey) & three whale boats, & plundered two houses, carried off about five or six

prisoners (some of them probably volunteers) & wounded five or six men.<sup>5</sup> By the extreme darkness of the night, & the impossibility of collecting an adequate force to oppose them, from the shortness of the notice of their coming, they could not be repulsed, nor prevented from executing the object of their enterprise, but the few men that could be collected, behaved with the greatest bravery, or in the charming language of General Burgoyne, *to a charm*. My Lord Your Lordship's most Humble & most Obedient Servant

WIL. LIVINGSTON

ALS, NHi.

1. Letter not found.
2. Elisha Lawrence.
3. WL is probably referring to the recent Loyalist raids in Monmouth County.
4. WL's daughter Catharine was in Philadelphia.
5. Adam Hyler.

### To George Washington

Trenton 11th January 1782

Dear Sir,

I think I have very authentic intelligence from New York that General Clinton's (and such kind of enterprizes are the ne plus ultra of some Generals) has contracted with a party to take the mail from the Post who rides from Philadelphia to Morristown; & that they purpose to execute their design in the mountains between Pluckhemin & Baskenridge.<sup>1</sup>

I have recommended to Colonel Lawrence<sup>2</sup> who is a Member of our Council & the bearer of this, to Lord Stirling if your Excellency should be otherways too deeply engaged, for such intelligence as may be necessary for a particular purpose in contemplation, which I believe him very capable of giving.<sup>3</sup> I have the honour to be with the greatest esteem Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. For previous attempts on the mail see WL to the Board of War, July 7, 1781. WL also advised postmaster-general Richard Bache of the British plans (letter not found). On Jan. 15, 1782, Bache told WL he had ordered the mail carrier to take a new route "round

the mountain to Veal Town” to evade Clinton’s men. Refer to Richard Bache to WL, Jan. 15, 1782 (PPAmP).

2. Elisha Lawrence.
3. See WL to Lord Stirling, Jan. 11, 1782.

### From George Washington

*Philadelphia, January 12(–13), 1782.* Stirling has delivered WL’s letter of January 1, 1782.<sup>1</sup> He has found reports of the establishment of a British post at Egg Harbor to be untrue. Monmouth County residents continue to trade with the British. He believes it will not end until the states pass laws fixing the death penalty for illegal trading.<sup>2</sup> Expresses the hope that James Moody will be captured in civilian clothes so he can be tried as a spy.<sup>3</sup> Thanks WL for his letter of January 11, 1782, concerning British attempts to intercept the mail.<sup>4</sup>

ALS, PPAmp.

1. See WL to George Washington, Jan. 1, 1782.
1. For New Jersey’s efforts to halt illegal trade see WL Proclamation, Oct. 9, 1781, and n. 5.
3. For the previous capture of Moody see William Alexander Livingston to WL, Aug. 17, 1780, and George Washington to WL, Aug. 17, 1780.
4. See WL to George Washington, Jan. 11, 1782.

# *The Prince and the Patriot, William Henry and Joshua Huddy*

*January 15–July 20, 1782*

*Large-scale encounters between the British and Americans ceased after Cornwallis's capitulation at Yorktown, but forays into New Jersey continued. British raids by New York-based Loyalists, or "refugees," were a continual source of concern for Gov. William Livingston. Patriots also engaged in clandestine operations that occasionally assumed international significance. Two such incidents involved not only top-ranking British and American civil and military officials in America, but two European monarchs as well.*

*The first incident occurred after the September 1781 arrival in New York of the future William IV, the Prince William Henry, third son of George III and Queen Charlotte. King George, anxious to get the young prince away from the unwholesome example of his elder brother, Prince George, had taken a step unprecedented in the education of royal offspring. The king had sent William Henry to sea*

*to learn the profession of naval officer. William Henry, who eventually achieved the rank of admiral, began his naval career by serving as a midshipman on board Adm. Robert Digby's flagship, the Prince George. William Henry accompanied Digby when the latter sailed to America in the summer of 1781 to reinforce Sir Thomas Graves in his unsuccessful attempt to weaken the control of the French navy in the Chesapeake.*

*After the fall of Yorktown the prince, at the king's order, remained in New York City to continue his studies with his personal tutor, Rev. Henry Majendie. For relaxation the prince and Adm. Digby would often walk or ride out alone through New York's streets. Their solitary habits became known to Patriots. By March 1782 William Livingston's fellow townsman, the Essex County militia colonel Matthias Ogden, had formed a quixotic plan to kidnap the duo. Ogden presented the plan to the commander in chief, who*

enthusiastically approved, warning Ogden that he must not offer "insult or indignity to the Persons of the Prince, or Admiral" and to carry "them to a place of safety, treat them with all possible respect . . . [while] conveying them to Congress. . . ." Washington did not record his purpose in approving the kidnapping but it is likely he wanted to exert pressure on the British government to recognize American independence.

On Mar. 20, 1782, Livingston, apparently privy to the plot, coordinated the prince's transportation through New Jersey by sending "dispatches to every part" of the state. The plan was abandoned only after Washington learned on Apr. 2, 1782, that the British, having heard of the plan through their spy network, had doubled the sentries in the city.

Shortly before the plot to capture the prince was abandoned, a group of men who belonged to the Associated Loyalists staged a raid on Monmouth County, N.J. The Associated Loyalists, formed with British support in November 1780, were commanded by William Franklin, New Jersey's last colonial governor. Their primary purpose was to wage war against their former friends and neighbors in New Jersey.

On Mar. 20, 1782, a group of 120 Loyalists set sail in whaleboats for Sandy Hook, N.J. After waiting three days for clement weather, the party finally reached Toms River about midnight on March 23. They were promptly reinforced by yet another group of Loyalists. At daybreak on March 24, the party surrounded the Toms River blockhouse, which was commanded by militia captain, Joshua Huddy, and

called for its surrender. The outnumbered Americans (twenty-five in all) refused and mounted a stubborn resistance while suffering twelve casualties. The Americans surrendered only after they had run out of ammunition. The British seized Huddy and other survivors and then burned the blockhouse and the nearby village. The governor was informed of the outrage the next day by Samuel Forman.

Captain Huddy, a lawyer and tavernkeeper from Colts Neck, N.J., was taken to the Provost Gaol in New York City, where Governor Livingston's son, Brockbolst, captured by the British as he returned to the United States from Spain, was shortly to be imprisoned. Huddy had previously been captured by the British and held prisoner, but had managed to escape. To ensure that Huddy did not escape this time, the British on April 8 moved him to a guard ship off the Sandy Hook coast and placed him in irons. Huddy may well have believed that he was being moved to facilitate his exchange. If so, he was cruelly disappointed. On Apr. 12, 1782, Huddy was taken ashore by Loyalist captain Richard Lippincott and hanged.

Lippincott hanged Huddy in retaliation for the murder of his relative Philip White, a Monmouth County Loyalist. White, who killed the son of a Whig New Jersey militia colonel, had been captured by the Americans and was killed while attempting to escape. New Jersey's Patriots now demanded revenge for the murder of Huddy in numerous affidavits and petitions addressed to George Washington. The general, who feared further unauthorized retaliatory acts by the Ameri-

cans against the British if he did not act, warned Livingston about the possible consequences of such unlawful behavior.

To stave off additional Whig action, Washington demanded that Sir Henry Clinton surrender Lippincott into American hands, a request which Clinton refused. Although appalled at the lawless murder of Huddy by the Associated Loyalists, Clinton insisted that since the Associated Loyalists were organized under the military sanction of a British commission, Lippincott must be tried by a British court. Clinton ordered Lippincott court-martialed. Lippincott's defense during the court proceedings was that he was merely following orders. Much to the outrage of the Americans, the court found Lippincott not guilty.

In retaliation, Washington ordered the execution of a British prisoner of war of the same rank as Huddy. Thirteen British prisoners, captured at the battle of Yorktown and presumably protected from retaliation under the terms of surrender, were gathered at the American headquarters of Brig. Gen. Moses Hazen. Lots were drawn and Capt. Charles Asgill pulled the unlucky draw.

The nineteen-year-old Asgill was the son of a British baronet who had at one time been lord mayor of London. The young captain was taken to Chatham, N.J., and placed under the watchful eye of Col. Elias Dayton. While Asgill was quite comfortable physically, he lived in terror, with the ever present threat of death.

The Asgill affair was directly threatening to William Livingston's family. In May 1782 Henry Brockholst Livingston was released on parole from the Provost

Gaol by Sir Guy Carleton, who replaced Clinton as commander in chief. Governor Livingston feared that if Asgill was executed, Brockbolst's parole would be revoked and he would also be executed. On June 7 the governor advised his son to "leave Elizabethtown as soon as you receive this letter . . . for I apprehend that matter will be carried far on the subject of retaliation (if Asgill is executed which cannot I think be avoided). . . ."<sup>22</sup>

Washington, perhaps reluctant to offend the British with peace so near, did not order Asgill's execution. As the months went by, the case drew international attention, eventually becoming the subject of numerous plays and novels. In England the young man's distraught mother appealed to George III to negotiate with the Americans for the release of her only son. In desperation Lady Asgill sent another personal appeal to the French monarch Louis XVI. The French king, moved by her plight, directed Comte de Vergennes to plead with Washington for Asgill's release. Washington forwarded Vergennes's letter to Congress, where it caused a heated debate. Many representatives favored Asgill's execution, but New Jersey delegate Elias Boudinot pleaded for his life. Boudinot was successful, and a congressional resolution that offered Asgill's life as a gift to the king of France was passed. On Nov. 17, 1782, a little more than six months after the murder of Joshua Huddy, Charles Asgill sailed for England. He followed William Franklin, who embarked for England following the relocation by Clinton of the military commission of the now discredited Associated Loyalists.

Also sailing for England in November

1782 was Prince William Henry. In the spring of 1782 the prince resumed his life at sea, serving as a midshipman on board Lord Samuel Hood's ship the *Barfleur*. After cruising between Long Island and the Chesapeake, William Henry returned to New York. The prince remained in the city, taking an active part in its social life, until November 3, when he sailed for England. Even as William Henry sailed,

the fate of two continents was being decided in Paris, where America's interests at the peace talks were protected by Benjamin Franklin, John Adams, and William Livingston's son-in-law, John Jay.

1. Fitzpatrick, *Writings of Washington*, 24:91.

2. See William Livingston to Henry Brockholst Livingston, June 7, 1782.

## From Henry Brockholst Livingston

Madrid 15th January 1782

My dear Sir,

Since the enclosed, which is copy of my last<sup>1</sup> I have received a letter from the house of French & Nephew at Bordeaux, dated the 5 Inst.<sup>2</sup> in answer to mine respecting the *Saratoga*. The following is what they write me on this occasion. I could wish it confirmed the account you have given us of your Son's fate.

“We are favored with yours of the 1st Ultimo chiefly on the subject of the *Saratoga sloop of war*, whose destiny, whether captured or lost, we can give no account of, having heard of neither; but we have this day written our Correspondent in London to enquire about her, so that if Lloyd has her on his Registry,<sup>3</sup> we shall know her fate, & inform you thereof. The cause of your anxious feelings is distressing & we heartily sympathize in them.”

Mr. Ridley<sup>4</sup> also informs us that he can hear nothing of that unfortunate vessel. These circumstances, added to the silence of my Correspondents at Nantes & L'Orient, alarm us not a little, & make us fear that we shall not have even the sad consolation to find that our Brother is confined to a British Prison. Susan,<sup>5</sup> 'tis true, has raised our hopes a little. She says, the family had received accounts three different ways of Captain Young's being carried into New York.<sup>6</sup> Heaven grant no worse may be the case! I feel much for my poor Mother on this Occasion. She must have suffered greatly by so long & so cruel a Suspense. Mrs. Jay & Sally are well, & desire to be affectionately remembered to you & Mamma, to whom you will also present my best Regards. I wrote to her on the 1st Instant, & shall e'er long do myself that pleasure again.<sup>7</sup>

I purpose leaving Madrid a few months hence, & hope to be with You next fall. A Winter's Passage has no charms. I have tried two of them, & am under no temptation to repeat The Experiment. With the best wishes for You & the Family, I am My dear Sir, Your dutiful Son

HARRY B. LIVINGSTON

ALS, NHi.

1. Refer to Henry Brockholst Livingston to WL, Dec. 25, 1781 (NN), and see Henry Brockholst Livingston to WL, Dec. 3, 1781. In his last letter, Brockholst informed WL that he had not yet received a response to his inquiries regarding his brother John Lawrence, lost at sea since April 1781.

2. Letter not found. Patrick and Valentine French and Nephew was a commercial house with offices in Bordeaux and Bayonne. It conducted considerable trade with the United States. Refer to Patrick and Valentine French and Nephew to Thomas Jefferson, June 21, 1785 (Boyd, *Papers of Thomas Jefferson*, 8:244).

3. A reference to Lloyd's Register of Shipping, founded in 1760.

4. Matthew Ridley, a Baltimore merchant, married Catharine Livingston in 1787. Ridley had been in France in 1781 as an agent for the state of Maryland, negotiating loans and buying supplies in France, Holland, and Spain.

5. Susannah Livingston, Brockholst's sister.

6. John Young, the captain of the *Saratoga*.

7. Letter not found.

To Thomas Henderson, John Covenhoven, and Thomas  
Seabrook

Trenton 18 January 1782

Gentlemen

I have received your Letter of the 16 Instant<sup>1</sup> by Mr. Cook. I presume I need not to assure you that there are no three Gentlemen in the State whom I find myself more disposed to oblige than yourselves in anything not inconsistent with my duty to the public.

Particular flaggs for business I never have granted.<sup>2</sup> Those under the direction of the Continent go often [en]ough (I could wish that they may not go too often & upon too particular business) for the transaction of all necessary affairs.

Another thing in which I cannot think it my duty to oblige Mr. Cook is a permission to bring over his goods. The natural consequence of such a line of conduct is too obvious to need mentioning;<sup>3</sup> & would with the greatest reason give the highest umbrage to those among

us who have borne the heat & burden of the day. But in virture of your [ . . . ] recommendation of him as having been humane & beneficent to our Prisoners I have chearfully given him a pass for his family with all their wearing apparel & any hard money they may bring & be assured Gentlemen that had I been able consistently with any Idea of duty or policy to grant it to the full Extent you desire I should have been happy to have had the opportunity of showing you how much I am

LBC, MHi. Sedgwick Transcription.

1. Letter not found.
2. See WL to Levinus Clarkson, Nov. 16, 1781, for WL's refusal of a pass request that he suspected was for a purpose other than the one expressed.
3. For pass requests concerning goods refer to WL to Ann Hait, Nov. 5, 1781 (MHi); and Azel Roe to WL, Jan. 17, 1782 (NjR).

### To Elias Boudinot

Trenton 19th January 1782

Sir

I just now received your Letter of the 15 instant.<sup>1</sup> The Reed you mention lately applied to me for a pass for his wife to go into New York to receive a considerable debt due to him from Mr. Yates lately in partnership with Mr. Laurence Reed & which he pretended he should never obtain in any other way.<sup>2</sup> I remembered the late partnership, but not being convinced that the reason he assigned for Mrs. Reed's jaunt was the geniune one & considering him rather as a dubious character from his settling so near the Enemy's lines, I rejected his application. He made a second Journey to this place to repeat his solicitations bringing Mrs. Reed with him, who being a relation of mine he flattered himself I presume that her suit in person would prove more effectual; but I persevered in my resolution & they returned without the permission.

I wish we had a Law for preventing all such Gentry as Mr. Reed & Mr. Tom Smith (the latter of whom I hear is lately removed to the same neighbourhood) from settling amongst us. Without this, we shall soon be overrun by a new Species of Tories that will take sanctuary in this State From the Justice of that of New York, & to avoid paying the double tax which that Government has Justly laid upon them for refus-

ing to take the tests.<sup>3</sup> At present I know not what can be done with Reed but the removing him farther from the lines & indicting him for having been to New York without a pass. I shall speak to the Chief Justice on the Subject.<sup>4</sup> Probably by the act against travelling without passes the Magistrates are authorized to send him to the place from whence he came.<sup>5</sup> I sincerely rejoice at the news of the birth of a Dauphin. That Event will diffuse more real joy through France than is annually pretended in a Certain kingdom where the royal line is propagated faster than the Nation knows how to provide for it.<sup>6</sup> I long to see the congratulation of Congress upon this important horoscope.<sup>7</sup> I dare say it will be *tres brillante et tres pompeuse*.<sup>8</sup>

LBC, MHi.

1. Letter not found.

2. Lawrence Reed, who died in 1773, was the law partner of Richard Yates. He did not leave any legitimate children but did father three children in Jamaica by Mary Barrow, a mulatto. Among them was a son, Lawrence, born in 1750, who may be the Reed referred to by WL.

3. On June 30, 1778, the New York Legislature passed "An Act more effectually to prevent the Mischiefs, arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State." This act required commissioners to administer a loyalty oath to all suspected persons. Those persons who failed to appear or refused to take the oath would be banished to British-held territory. The act further required that officials notify the government prior to the removal of such persons so that exchanges could be effected. Any person who remained in New York after refusing to take the oath could be charged with treason. Effective June 25, 1778, the land of these persons would be subject to double taxes. On Feb. 17, 1779, the New York Legislature passed "An Act to amend an Act, entitled An Act more effectually to prevent the Mischiefs arising from the Influences and Examples of Persons of equivocal and suspected Characters in this State, and for continuing the Powers of the Commissioners for detecting and defeating Conspiracies." This act gave persons who had already refused to take the oath another opportunity to do so.

4. New Jersey's chief justice was David Brearley (*NJA* [Privy Council], 175, n. 13).

5. See WL's Oct. 9, 1781, Proclamation for specific legislation respecting passports.

6. Louis Joseph Xavier Francois was born Oct. 22, 1781, to Marie Antoinette and Louis XVI. George III and Queen Charlotte had thirteen children by 1782 (Burnett, *Letters*, 6:346, n. 2).

7. horoscope: to forecast a person's future based on the conjunction of the stars and planets at the moment of birth.

8. *tres brillante et tres pompeuse*: very bright and very pompous.

## From Robert Livingston

Manor Livingston 23 January 1782

Dear Brother,

Your agreeable favour per Colonel Troop<sup>1</sup> was sent me the other day, I feel glad to find that the Campaign in the South Quarter has this year ended greatly in our favour as you Expected it would indeed the blow *Lord Cornwallice* received at & in *York Town*, was a Capital one and if the King, and Ministry of Brittain have any feeling left for the Nation, they must see the Necessity of Speedily concluding Peace with France, & us, or ruin must be their Portion, before this year is run out, that is Speaking according to humain probability, as France is already Superiour at Sea, what must become of her Trade Should the Dutch now the French have restored her Islands<sup>2</sup> lately taken from them by the English, enter with double Vengence to retaliate the insult, nay even without any assistance from that Quarter has England not now reason to fear for all her Islands while the French Fleet now rides triumphant in their Neighbourhood, indeed it would not Surprise me Should I hear this next week that both *antigua* and *St. Kitts* were in their hands; as they have Troops Sufficient to protect them, & more it is Sayd Expected.

Surely this must rouse them out of their long lethargy & open their eyes, and see ruin Stern them in the face, for my part Should not be Surprized to hear Soon that both King & Parliment had Sent over a Proclamation of Independence accompayed with an Act of Parliment, and offers of Treaties, this, & this only can now Save them from ruin.<sup>3</sup>

It is doubtless right we Should improve all the advantages kind Providence has blessed us with, and I trust we will; hope *Charles Town*<sup>4</sup> will soon either be evacuated, or taken by our Troops, and also *New york*.

I see by the papers that *Lord Dunmoor*<sup>5</sup> with a number of Royal refugies were arrived at *Charles Town* in their way to *Vergina merry* indeed but all of a piece.

We are all well here my family numerous indeed but not so, but we can find room for Some more friends, Especially for my Brothers & sisters & their amiable Children, your Dear Daughter *Susan* is now

with us, & well, can assure you the Obligation of her being here is on our side we have both room & provisions God be thanked in plenty, Lady Sterling,<sup>6</sup> Sister Lawrence<sup>7</sup> and my rib<sup>8</sup> joyn me in Love to you & Sister am your Affectionate

ROBT LIVINGSTON

ALS, NHi.

1. Letter not found. Col. Robert Troup frequently carried mail for WL. See WL to Peter Augustus Jay, Dec. 14, 1781.

2. Between November 1781 and February 1782, the French navy under de Grasse had taken St. Eustatius, St. Christopher, Nevis, and Montserrat. In addition, the French recaptured posts in Dutch Guiana and Spanish forces had taken Minorca. The French and the Spanish were also planning a joint attack on Jamaica.

3. News of the American triumph at Yorktown brought demands from the parliamentary opposition for a quick peace and the fall of the North ministry. In an attempt to save the ministry, Sir Henry Clinton was replaced by Sir Guy Carleton as commander in chief in America and Lord George Germain was replaced by Welbore Ellis as colonial secretary. In its final weeks the North ministry indicated its readiness to negotiate a separate peace with France, America, and the United Provinces.

4. Charleston was evacuated by the British on Dec. 14, 1782.

5. An account of the arrival in Charleston of Lord Dunmore and his troops appeared in the Jan. 19, 1782, issue of the *Pennsylvania Journal and Weekly Advertiser* (Philadelphia).

6. WL's sister, Sarah Livingston Alexander.

7. WL's sister, Catharine Livingston Lawrence.

8. WL's sister-in-law, the former Gertrude Schuyler.

To Azel Roe

Trenton 23d January 1782

Reverend Sir

It has been an affliction to me that the exchange of our Citizens in captivity with the Enemy & the Supplying them with necessaries at the expence of the State has not been more attended to.<sup>1</sup> But they not being in the Department of the Executive, I can only represent, recommend, solicit reiterate & grumble.

LBC, MHi. Sedgwick Transcription.

1. For the policy regulating the exchanging of civilians see George Washington to WL, Feb. 13, 1780, n. 2. For the deprivations suffered by American prisoners see Abraham Skinner to WL, Sept. 9, 1780. Roe, a minister, had been held prisoner of war by the British in New York's Sugar House. Roe had asked WL to permit the wife of James Shaw to come to New Jersey to sell some of the personal effects they had left behind. Refer to Azel Roe to WL, Jan. 17, 1782 (NjR).

## To Peter Augustus Jay

Trenton 26 January 1782

My dear little Peter Jay

I have had no Letter from you since I sent you one by Colonel Troup.<sup>1</sup> I hope my dear little son will not forget his grand Pappa. But it is more like that you have had no way to send a Letter to me. I hope you mind your book like a good boy, & that you will learn to write a good hand before next spring or else Mamma Jay will not be pleased with you when she comes back from Spain; & I hope you will send me another Letter very soon. In the Spring you must come back to grand Mamma who wants to see you very much & when you are come to Elizabeth Town you must let me know of it & then I will come to see you. I long very much to see my dear little P. with his boots on, & I send your Picture which I have drawn with a Letter from Grand Papa in its hand. I am

LBC, MHi. Sedgwick Transcription.

1. See WL to Peter Augustus Jay, Dec. 14, 1781.

## To George Washington

Trenton 26 January 1782

Dear Sir

I have been honoured with your Excellency's Letter of the 12th. instant,<sup>1</sup> relative to the affair of Egg harbour. As the facts upon farther enquiry appeared to be very different from the information I had at first received, it could not be expected that your Excellency should pursue such measures as I had hoped from your constant readiness to serve the public, you would have pursued, had the first report been verified by corresponding facts, & which indeed you assure me that you would have adopted. I have therefore to express my sense of your Excellency's good intentions & am glad to find that the enemy have not yet dared to venture on so bold an attempt, 'tho' they do infinite mischief in that part of the country (I wish it was the only part of the State in which

they did the like mischief) by carrying on the trade with the enemy. Respecting that pernicious traffic I heartily concur with you in sentiment that it ought to be made capital. It is not only contrary to the useage of all nations, as your Excellency justly observes, to punish so atrocious a crime by fine only; but in point of demerit, I should think that if any crime in the world deserved death, next to that of murder, it must be that of supplying an enemy in time of war, with the means of facilitating their continuing such war against one's own country.

Last evening I was honoured with two Letters from your Excellency both of the 22d instant.<sup>2</sup> Relative to that concerning John Smith,<sup>3</sup> for which I am much obliged to your Excellency, I make no doubt but the Author of the anonymous Letter to your Excellency (which you inclosed)<sup>4</sup> is right in his conjectures about Mr. Smith's real business at Morris Town. That person has given me cause of suspicion during the whole war. He has been constantly rambling thro' almost the whole continent without being or pretending to be a citizen of any one particular State on it. And as to the study of the Law which it seems he assigns at present for the reason of his fixing himself in Morristown, it would with me have had an equal appearance of probability had he pretended to study judicial Astrology. What ought to render him still more suspect in this particular crises, than his perpetually roving about without any apparent business, is that his brother Tom Smith (who [was?] but too justly suspected in the case of André)<sup>5</sup> & one John [ . . . ] both obnoxious Characters in the State of New York, have [lately?] settled at Aquackanonck,<sup>6</sup> a place so exposed to the enemy, that the good Whigs in that part of the country, who cannot without ruining themselves, remove their families from it, dare not sleep in their own houses, & which I must from thence presume no person coming from another state, & having all New Jersey before him to chose a place for his residence would particularly fix upon as a spot where he could live in tolerable safety unless he was upon better terms with the enemy, than a good Whig can possibly be. The authority of the Executive of this State is so circumscribed respecting the removal of such disagreeable visitants, that I cannot treat those Gentlemen with the *attention* that I would always wish to shew to such kind of Strangers; but I have strongly [recommended?] Mr. John Smith, as I had already done the other [two?] to the Chief Justice, who is now holding Court in the neighbourhood of Morris, & who I think can, in virtue of a Law of this State against travelling without passports remand them to the State they last come from.

Your Excellency's circular Letter<sup>7</sup> I shall with my first message to the Assembly on their next sitting, lay before them & I hope they will view the Subject of it in that same just point of light in which you see it. I am thoroughly convinced that more spirited [exertions?] in the power only of those who hold the purse strings in the several States, might before now have brought the war to an happy issue. But—it is perhaps best to add no more than that I am with the greatest esteem & attachment Dear Sir Your Excellencys most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. See George Washington to WL, Jan. 12, 1782.
2. Refer to George Washington to WL, Jan. 22, 1782, and George Washington to WL, Jan. 22, 1782, in Fitzpatrick, *Writings of Washington*, 23:458–61.
3. John Smith was suspected of being a British spy.
4. Enclosure not found.
5. For the involvement of the Smith family in the Arnold-André plot see William C. Houston to WL, Sept. 27, 1780, and n. 9.
6. Acquackanonk in Essex County.
7. In his circular letter, Washington informed the governors that Congress, at the direction of superintendent of finance Robert Morris, had requisitioned \$8 million from the states for military expenses (Fitzpatrick, *Writings of Washington*, 23:458–59). The assembly met on May 15, 1782. See WL to the Assembly, May 17, 1782.

From John Adam

Elizabeth Town 28th. January 1782

Sir

In consequence of an interview by Order of His Excellency General Washington<sup>1</sup> Colonel Skinner wrote in to Mr. Loring, an answer returned by one of his Assistants on Tuesday the 22d. by a Flag of Truce,<sup>2</sup> the Weather setting in so sovier frose up the Comunication which prevented their return contrary to their Wish for several days, the Craft they came in could not proceed, Mr Verner being furnished with an Answer on Account of his impatience I got him put across the Sound to Staten Island.

In the interim two of his hands to assist in Navigating the Boat, by order of whom I know not was apprehended and taken to Westfield by the high Sherieff where the Court was then Sitting, how far true or where ordered I cannot say, but with this Addition, loaded with Irons, their Names Lewis Blanchard & Smith Hatfield.

What reason is for it I am not able to inform your Excellency, but affraid of the Consequences, as it leads to prevent the peasable intercourse of Exchanges, at same time puts it out of the Power of the Feeling Parent to assist his Child, or any other relation who may have an inclination to do to those whom are in a State of Captivity, I observe the latter as I cannot get one hand to go in the Flag untill this matter is settled.

Their releasment, the rights & delecasey of Flag of Truce, I beg leave to refer to your Excellency. Inclosed is a Copy of their Flag Orders. I am sir with the utmost Respect Your Excellencys Most Obedient Humble Servant

JOHN ADAM

ALS, PWacD.

1. In a letter dated Dec. 5, 1781, George Washington directed Abraham Skinner to "endeavor to effect the exchanges of such of our Officers as remain unreleased, for part of the British and Foreign lately taken at York in Virginia." The negotiations between Skinner and Loring were also to include officers imprisoned in Canada (Fitzpatrick, *Writings of Washington*, 23:66, 372–73, 395, 403–404, 480, 481). For background on these negotiations see Abraham Skinner to WL, Sept. 5, 1781.

2. Letter not found.

From Azel Roe

Woodbridge January 29th, [1782]

Honored Sir

I received your Excellencies letter of the 23d. in answer to mine of the 17th.<sup>1</sup> I accept with gratitude, your kind congratulation upon my return home. I am very sensible that had I been so unfortunate, as to have fallen into the Enemies hands or been made a Prisoner at an earlier period, when their affairs were in a more prosperous condition, I should have mett with very different treatment; should have probably fallen a Sacrifice to their malice & cruelty, as many others have done. Our friends in N: York observe with pleasure the great Change which the Capture of Lord Cornwalliss & his Army has made there—some are greatly awakened—many appear to be under deep political Convictions—one saith what have *I done* while others enquire what had I best to do? Some conscious of their guilt, are setting themselves to work out their Salvation, to make atonement for their political offences by acts of kindness & liberality to the poor prisoners—and are thus endeavouring

to make to themselves friends of Mammon of unrighteousness, that when their british friends fail them, as they expect they will very shortly, they may be restored to the favour of their offended Countrymen, & so be continued in the possessions of their *earthly* habitations. Many despairing of this, have taken refuge in Great Britain; & others are preparing to follow them. Some are of late become *almost* Whigs, while others in outward appearance have passed the great political Change. Our friends are in high Spirits, & are looking forwards to the approaching Spring, with the pleasing Expectation of compleat deliverance from british Tyranny & Cruelty in which I earnestly wish they may not be disappointed. There are doubtless many in N: York, who have been thro the whole Contest & still are heartily attached to the Cause of America and are exerting themselves in behalf of our poor Prisoners, especially those confined to the prison Ships, who suffer the most at present, for whom they lately raisd about 400£ the greatest part of which they had laid out in purchasing Blankets & Cloathing. The Condition of our Prisoners is truly distressing & loudly calls for relief. And I am really astonished that no more is done for them on this side—how easy would it be to furnish them with the Article of severe for want of which they must suffer exceedingly in this [severe?] Season of the year. I was told by some friends that Mr. Sprout,<sup>2</sup> the Commissary offered to provide a Stove at his own Expence in case we could supply them with about 15 or 20 Cords of Wood. It is also well known that they have but a very scanty allowance of food, & that nothing but [ . . . ] how easy & what a trifling expence would it be to send now & then a Beef or some kind of fresh Provisions.

There is certainly a great & very criminal neglect as to this matter. I had thoughts of writing to some Gentlemen of Congress upon this subject but could not upon the whole think it would answer any purpose—however I cannot but earnestly wish that some Person of greater weight, would take up the matter, try if nothing can be done. I doubt not your Excellencies disposition to do every thing in your power, & tho you can do nothing officially in this matter, it is not impossible, but a proper representation of the suffering Conditions of our Prisoners from a Gentleman of your high rank & Character, to those whom it immediately concerns, would have so much weight as to influence them to do something; however I mean not to prescribe to your Excellency who must be left Judge of what is most expedient or proper upon this Occasion.

I am sorry to find that I was not sufficiently explicite in stating the Case of Mr. James Shaw. It is, plainly & simply as follows: He left N: York, taking his family & most of his Effects with him, at the Enemies Approach; Came into some Port of this State, where I suppose he thought himself secure, but when the Enemy came in this State he unfortunately fell in their way with his family & Effects; he thinking it a vain thing to make any further attempts to escape them, supposing they would overrun the Country & therefore with many others thought best to return to N: York leaving some of his Effects behind him which he now wishes to dispose of by sale here, or to take them to N: York to answer his Nesessities, there, for which he asks a Permission from your Excellency.

I begg leave just to remind your Excellency that time of our militia Guard will expire next Monday & that unless another Class is seasonably out, we shall be in a very unhappy Situation. Inhabitants here expect, agreable to their Petition to [be?] furnishd with a constant Guard from the Militia, till Captain Randolph<sup>3</sup> raises his Company & brings them on the Line, which I fear will not be the Case till some time in the Spring when I earnestly wish we may have no occasion for them. I am with the Sincerest Respects your Excellencies most obedient & very humble Servant

AZEL ROE

ALS, NjR.

1. Sec WL to Azel Roc, Jan. 23, 1782, and refer to Azel Roe to WL, Jan. 17, 1782 (NjR).

2. Ebenezer Sprout.

3. Asher FitzRandolph.

### From Sarah Jay

Madrid 31st. January 1782.

The great distance that seperates me from my dear Papa makes me solicitous to inform him of such things as would amuse him, or at least give him an account of this part of his family; & with those intentions have frequently taken up my pen; but there is an ingenuousness in my disposition which often disposes me to more frankness than prudence justifies, & for want of caution have been obliged by prudential reasons

to suppress some letters after they were written: I have at this instant in my desk an interesting one that was written last June containing 18 pages;<sup>1</sup> nor should I now have mention'd those letters had I not fear'd that the long silent interval between the last & present might have occasion'd the revival of that old idea that being out of sight you had lost my remembrance; the most unorthodox idea that can present itself in minds that affection, gratitude & esteem unite. Accept my thanks for your obliging favor of the 21st of August,<sup>2</sup> it was handed to me the 31st. of November and would have contributed greatly to my satisfaction as the former instance of your attention had done, had not my feelings been alarm'd by your paragraph relative to my dear unfortunate brother. It's true my feelings were a little reliev'd by your letter to Brockholst mentioning the probability of his capture but even that ray of hope has been greatly obscured by the unsuccessful enquiries of our friends in Europe.<sup>3</sup> The many distressing incidents that have been caused in our part of the world in consequence of the cruel war that has been prosecuted against us are sufficient to contrast the former bounties of Providence to our Country & to inspire us with gratitude for the prospect which the happy conclusion of this Campaign has open'd to peace & independance. Our haughty Foe now finds himself depriv'd of great part of his Empire, Dignity & the confidence of many of his Subjects.

The late brilliant enterprise of the French against St. Eustatia has acquir'd for the Marquis De Bouilli great encomiums, & the subsequent conduct of himself & officers has added greatly to their honor.<sup>4</sup>

The 6th: of February Count De Montmorin the french Ambassador will give a very splendid entertainment at his house in celebration of the birth of the Dauphin,<sup>5</sup> & you may judge whether or not it is likely to be elegant, when I tell you that it is said that the ten thousand dollars allow'd by his Court for the occasion will be insufficient to defray the expence that will be incur'd; your daughter tho' invited, I fancy will hardly partake of the ball tho' it would be perfectly agreeable to her inclination, since its probable that about that time or very near it, she will have the pleasure of giving you a little name-sake.<sup>6</sup>

Your attention to my dear little boy<sup>7</sup> increases my gratitude, & makes me wish you may one day be repaid by his own amiable conduct, being sensible that a generous mind is most agreeably rewarded when it perceives that it's benefits have been useful

Please to remember me to my dear mama & brother William, & be-

lieve me to be, my dear Papa, with great sincerity your very affectionate & dutiful daughter

SARAH JAY

ALS, Nj.

1. See Sarah Livingston Jay to WL, June 24, 1781.
2. See WL to Sarah Livingston Jay, Aug. 21, 1781.
3. See WL to Henry Brockholst Livingston, Sept. 17, 1781, and Henry Brockholst Livingston to WL, Jan. 15, 1782.
4. On Nov. 15, 1781, the Marquis de Bouillé set out for St. Eustatius with 1500 troops escorted by three frigates. The British, who were completely surprised by the attack, surrendered. They originally captured the island from the Dutch on Feb. 3, 1781. See William C. Houston to WL, Mar. 22, 1781, and Robert Livingston to WL, Jan. 23, 1782.
5. See WL to Elias Boudinot, Jan. 19, 1782.
6. Maria, the Jay's third child, was born on Feb. 20, 1782.
7. Peter Augustus Jay.

### To Susannah French Livingston

Trenton, 1st Feb., 1782.

Dear Sukey,

I have received your letter of the 28th last.<sup>1</sup> I wonder how you could think of beginning a letter to me in such a style as to say that you approached me with fear and trembling. I can assure you it made me tremble, so as to be disabled for some time from reading on, and till I found what was really the subject matter of it, I shook like a leaf. You have no reason, my dear friend, to approach me with fear and trembling, in asking any favour for any person, and if it is either out of my power or improper to grant it, I can only do what in such case I ought to do, refuse it.

With respect to L—B—,<sup>2</sup> he has made his escape, so that I am delivered from the mortification of denying your request, of ordering him out of irons till his conviction, which I could not have done, because the officer who had him in charge, had a right to keep him in such manner as he thought him most safe I am, etc.

WIL. LIVINGSTON

Sedgwick, *Livingston*, 366–67.

1. Letter not found.
2. Probably Lewis Blanchard. See John Adam to WL, Jan. 28, 1782.

## From David Forman

Frehold 17th February. 1782

Sir

I have the Honor to enclose to your Excellency a Petition from a Number of the Inhabitants of this County<sup>1</sup> for a guard to be called from the interior Counties for the protection of our Frontiers, commanded by Captain Walton<sup>2</sup> of the Horse. Your Excellency we flatter ourselves from a recital by Col. Henderson<sup>3</sup> of a conversation you had with him on the Occasion at the rising of the assembly is fully convinced of the inability of Captain Walton's Troop giving security to our very Extensive frontiers, if his Company was full and we do allso flatter our selves your Excellency will be of opinion with us that in Justice, the Interior Counties of the State who has enjoyed allmost a perfect tranquility for a Considerable time past should be Called out upon this Occasion. In the Instance referred to in our petition the Enemy Marched undiscovered to pleasant Valley and Captured Eight Valuable Citizens and their Negroes and Would have made there retreat good had it not been for a body of Ice that broak loose from above and detained them several Hours at the passage of Sandy Hook. There principle object was the Town Collector,<sup>4</sup> they took him and his two sons but fortunately the publick money had been all sent away Just before. Since the above Vizt. Saturday they were off again plundered Capt. Shepherd of Middle Town and took his son prisoner. The Capt. happened to be from home or he would have sheared the same fate. Enclosed Your Excellency has a New York paper Containing the Brittish Kings Speech<sup>5</sup> I have the Honor to be Your Excellency's Most Obedient Humble Servant.

DAVID FORMAN

ALS, NHi.

1. Petition not found.
2. Capt. John Walton.
3. Col. Thomas Henderson.
4. For a description of the attack on Pleasant Valley and Middletown see *NJA*, 2d ser., 5: 372–73.
5. The king's speech was reprinted in the *N. J. Gazette* on Feb. 20, 1782 (*NJA*, Newspaper Extracts 2d ser., 5: 376–380).

From Robert R. Livingston

Philadelphia 18th of February 1782

Sir

I do myself the honor to transmit your Excellency several resolutions of Congress, which having a reference to the department of foreign affairs are in course to go thro' this office. The necessity of carrying them into effect is too obvious to need observations. While we hold an intercourse with civilized nations, we must conform to laws which humanity has established, & custom has consummated among them. On this the rights which the United States or their citizens may claim in foreign countries must be founded.<sup>1</sup> The resolution No. 2 passed Congress in consequence of a convention about to be concluded between his most Christian Majesty & the United States of America, which affords an additional reason for paying it the earliest attention.<sup>2</sup> Your Excellency & the Legislature will See the propriety of rendering the laws on these subjects as simple & the execution of them as expeditious as possible, Since foreigners who are the great object of them are easily disgusted at complex systems which they find a difficulty in understanding and the honor & peace of a nation are frequently as much wounded by a delay as by a denial of justice.

The resolution No. 3 relates to your boundaries & is designed as one means of ascertaining the territorial rights of the United States collectively, which can only be accurately known by each State's exhibiting its claims of the evidence on which they found them.<sup>3</sup> Your Excellency will therefore be pleased to direct that authentick copies from your records of all grants, charters, maps, treaties with the natives and other evidences be transmitted to this office as Soon as you can conveniently collect them. I could wish that the copies might be proved by having the great Seal of your State annexed. I have the honor to be, Sir With the greatest respect & esteem Your Excellency's Most obedient humble Servant

ROBT. R. LIVINGSTON

ALS, Nj.

1. The first resolution may have been that passed by Congress on Jan. 2, 1782, which recommended that state legislatures pass laws governing the seizure of British goods during the war (*JCC*, 22:3).

2. The resolution passed Jan. 9, 1782, provided for the "establishment of consular powers and privileges" between France and the United States. The state legislatures were asked to pass laws clarifying the status of French subjects in the United States (*JCC*, 22:17–26, 46–54).

3. On Jan. 28, 1782, Congress passed a resolution recommending that the New York and New Hampshire legislatures pass laws to indemnify residents against claims of people in Vermont (*JCC* 22:58–59).

To John Dickinson

Trenton 4th March 1782

Sir

I have been honoured with your Excellency's Letter of the 14th last.<sup>1</sup>

I sincerely congratulate your Excellency on your appointment to the Government of the State of Delaware; & felicitate that part of the union on having furnished you with so extensive an opportunity of promoting the general Interest.

The Subject matter of your Excellency's Letter was laid before our Legislature in May last, on the application of President Rodney,<sup>2</sup> I was in hopes that the encouragement given by your State by the Act intituled "An Act for the protection of the trade of this State on the river & bay of Delaware," which I transmitted to the house with my Message, would have been an additional inducement to them to have fitted out some naval armament to cruize against the Enemy's privateers which infested that river; but the Assembly did not adopt the measure. There is perhaps less probability that they will do it the next sitting in May, as they have since provided that such part of our State Regiment as is destined for the protection of the Counties of Salem, Cumberland & Cape May is to act either by land or water. It being however a very humiliating consideration that the refugees should so long triumph on the Delaware, & give such material interruption to the trade of three of the States, the united exertions of which might so easily prevent their depredations, I shall again urge the matter to the assembly 'tho' rather with the wish than the hopes of Success. With the greatest esteem I

have the honor to be Sir your Excellency's most humble & very obedient Servant

WIL. LIVINGSTON

ALS, De.

1. Refer to John Dickinson to WL, Feb. 14, 1782 (De).
2. Both Dickinson and his predecessor Rodney were concerned with protecting trade in Delaware Bay. See WL to Caesar Rodney, Apr. 24, 1781, n. 3, for the action taken by the New Jersey Legislature.

### To George Washington

Trenton 8 March 1782

Sir

I have received your Excellency's Favour of yesterday,<sup>1</sup> and in consequence of it I forwarded to General Forman by the same Express the passport requested.<sup>2</sup>

My reason for not granting them on General Forman's application,<sup>3</sup> was the great abuse which I am informed is made of sending people into the Enemy's lines under pretence of obtaining intelligence, especially at Newark & Elizabeth Town, where the Whigs are made exceedingly unhappy upon the account, & very generally suspect that trade is carried on with the Enemy under that pretext. Not that I would be understood to mean that I have the least suspicion that a Gentleman of General Forman's character is capable of abusing the confidence your Excellency reposes in him. I am well satisfied of the contrary. But in public transactions I always chuse to have the highest evidence that the nature of the thing is capable of: and as the reason assigned for disiring the paper was of a military nature, I referred him to your Excellency at least as to one of the parties, promising him to give mine to the other if you should chuse it in preference to your own. From your Excellency's observation that the ostensible reason for their going is of a civil nature, I see the propriety of my granting them both, to which I did not before advert.

I have it to lament that the recruiting business, by all that I can learn, goes on very slowly with us; but it is not in my power to accelerate it.<sup>4</sup>

With the greatest respect I have the honour to be your Excellency's most obedient & very humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, Mar. 7, 1782 (DLC:GW).
2. For background on granting civil and military passes see WL to Thomas Henderson, et al, Jan. 18, 1782, and refer to George Washington to WL, Mar. 7, 1782 (DLC:GW).
3. On Feb. 28, 1782, Gen. David Forman had requested a pass allowing Mrs. Provost to go to New York. For WL's initial refusal, refer to WL to David Forman, Feb. 29, 1782 (MHi). Mrs. Provost is probably Theodosia Bartow Prevost, wife of British Lt. Col. James Mark Prevost and later Mrs. Aaron Burr.
4. For recruiting problems in New Jersey refer to WL to the Assembly, Nov. 1, 1781 (General Assembly [Oct. 23–Dec. 29, 1781], 13); and see WL to William Heath, Sept. 15, 1781.

### To Catharine Livingston

Trenton 9 March 1782

Dear Kitty—

Finding that my Spectacles are grown too young for me as some Irishman would say, I want a pair more magnifying & luminous. Colonel Hooper<sup>1</sup> lately bought a pair or rather the glasses for a pair (which is the way I chose to have them) in Philadelphia that suit my eyes exceedingly. He had them either of Mr. Richardson<sup>2</sup> a silver smith on front Street three doors below chesnut Street or of Mr. Elliot<sup>3</sup> in Market street between front & second street. Pray enquire & procure the glasses of 4 or 5 pair to be sent to me for tryal with the prices & if any of them suit me I will return the rest to you I only want the glasses & can have them set or framed here.

I shall also want a summer coat & waiscoat. The latter perhaps will do of the same kind of black silk which you sent last summer for a pair of breeches. And as for the coat there was a pattern among your samples that I should like much but I have forgot the name. It was a purple colour & looked very rich. However you may find me a number of samples with the prizes; & let me know whether the shop keeper will take our state money at two & a half for one at which it is current here.<sup>4</sup>

LBC, MHi. Sedgwick Transcription.

1. Probably Robert Lettis Hooper, Jr.
2. Joseph Richardson.
3. John Elliot.
4. For previous mention of inflated currency see WL Proclamation, June 2, 1781, and n. 2.

## To Catharine Livingston

Trenton 16 March 1782

Dear Kitty

I have received yours of the 11th instant<sup>1</sup> in which you say nothing about the samples for a summer coat nor the glasses for a pair of spectacles, from whence I conclude that my Letters respecting those articles have miscarried.<sup>2</sup> I shall therefore here repeat the substance of them.[ . . . ]

I am much pleased to hear that Brockholst intends to return home next summer<sup>3</sup> as he has now seen & learnt in Spain all that can be of use to him to know; & the time he will spend there beyond this, will be rather lost to him. I hope he may come time enough for Mr. Morris<sup>4</sup> as I should prefer that, to his prosecuting his design of going into the Law which will cost him some year's apprenticeship & which is a profession that is rather overrun with practitioners. Whereas while he is with Mr. Morris as his secretary he might acquire by studying at leisure hours & other inquiries into that Subject such a general knowledge of trade, as to go into Merchandize immediately after he left Mr. Morris without serving a particular apprenticeship first, & from Mr. Morris's regard for him (which I am confident he would make it his business to deserve) he might soon be in a promising way of business & I could earnestly wish if he is really expected that it would suit Mr. Morris to take him & to defer taking another as long as his business will admit of it. The other young Gentleman you mention, I cannot recommend; because he never would surprize one with sufficient confidence of the propriety of his behaviour to pledge my honour for it, & by this means has lost several little places of profit to which I could have got him appointed during the war. Alas how much he stands in his own light & what affliction does he give me by his seeming resolution to be an Idler & trifler as long as he

lives!<sup>5</sup> But I have reason to thank God that others of my children give me pleasure & do me honour. I intend this letter by Mr. Cone, who will stay in Philadelphia but one day, & will be a good opportunity to bring the spectacle glasses. The Coat is not in such haste.

LBC, MHi. Sedgwick Transcription.

1. Letter not found.
2. See WL to Catharine Livingston, Mar. 9, 1782.
3. WL's son Brockholst left Madrid Feb. 7, 1782, and sailed from Cádiz Mar. 11, 1782. He was captured by the British on Apr. 25, 1782, and carried to New York.
4. Robert Morris.
5. WL almost certainly refers to his son William.

### To Benjamin Van Cleve

Trenton 20 March 1782

Sir

I am sorry to give you such frequent trouble about an Express, but it cannot be avoided. I believe I shall now be able to get State Money from the Treasury & to exchange it for specie so that difficulty will be got over: tho' it not to have been thrown upon me after what has passed; but as Mr. Ruscow<sup>1</sup> has only contracted till the beginning of April, I wish that you & Mr. Anderson would ingage one in his room by that time, when it may be attended with fatal consequences to be destitute of one for a single day, as I have reason to think that about that time General Washington will make applications to the Executive of this State that will render it necessary for me to send dispatches to every part of it.<sup>2</sup> At all Events it is necessary to have an express ready when any public Enquiry obliges me to call upon him & if you can engage one upon the same terms that we now have Mr. Ruscow, it is I believe the cheapest way of doing it, as he has no pay but when he is on actual duty. I mean not however to dictate about the mode of your agreement. I only want a man ready to start on the shortest notice when the loss of half a day might be pernicious to the publick.

I think we have a fairer prospect than ever of a speedy peace; & if after the late remonstrances of London & Westminster to their King, he still persists in his obstinacy to carry on his cruel war against us, it is

not improbable that the nation will soon check his career by condemning him to the same fate with his predecessor Charles the first.<sup>3</sup>

LBC, MHi. Sedgwick Transcription.

1. William Roscow. For WL's decision to hire Roscow to carry expresses refer to Benjamin Van Cleve to WL, Jan. 5, 1782 (Nj), and WL to Benjamin Van Cleve, Jan. 18, 1782 (MHi).

2. WL may be referring to Matthias Ogden's plot to kidnap Prince William Henry, who had been in New York since Sept. 24, 1781. Ogden, with Washington's approval, was to take the prince to Congress (Fitzpatrick, *Writings of Washington*, 24:91). For the prince's arrival in New York see Asher Randolph to WL, Sept. 26, 1781, n. 2.

3. Charles I was condemned of treason by the House of Commons and executed on Jan. 30, 1649. George III was spared a similar fate, but the news of Yorktown brought the resignation of the North ministry on Mar. 20, 1781. Still hoping to avoid American independence, the king looked to the earl of Shelburne as a possible successor to North. Shelburne could not command enough support in Parliament and a coalition cabinet was created on Mar. 22, 1782, with Lord Rockingham as Prime Minister. Shelburne received the post of secretary for home, colonial and Irish affairs while the post of foreign affairs was given to Charles James Fox. Both of these secretaries considered the peace negotiation with America to be within their own jurisdiction and both sent their envoys to Paris.

### To Joseph Willard

Trenton 20 March 1782

Reverend Sir

I was yesterday honoured with your Letter of the 9th of February inclosing a copy of the act of your Legislature "to incorporate & establish a society for the cultivation & promotion of Arts & Sciences"; & acquainting me in the politest manner that I was Elected a Member of that Literary Body.<sup>1</sup> I can assure you, Sir that I have the deepest sense of the distinguish[ed?] mark of esteem, thereby shewn me by so respectable a Corporation & am greatly obliged to the Members for the favourable opinion they are pleased to entertain of me. I wish it were more in my power than it is to contribute my share toward promoting the very beneficial design of that Institution. You will however do me the justice to believe that I shall eagerly seize every opportunity to manifest my attachment to so necessary & liberal an Establishment. I hope the same ardour for promoting useful knowledge which has ever distinguished New England may be diffused thru' all the United States. Agriculture in particular, which is the source of the principal staples of

most of them may I am persuaded be carried to a much higher degree of perfection than we see it at present: & the English with all their blunders & rascality must be allowed to be incomparably better farmers than the Americans. The Peasantry of every country is generally content to head in the steps of their Ancestors & averse from being at the expense unavoidably attending experiments. It must be [ . . . ] of speculation & a philosophical turn that strikes out new tracts, & even their discoveries are evident improvements upon present systems, both [common?] sense & private interest will turn the husbandmen from the old into the new path. Some speculating Gentlemen in this State have lately conducted a Society very similar to that of the *American Academy*, but the most enlightened members of it are so immersed in public business & our citizens in general by our vicinity to the British gentry in New York so much diverted from all literary pursuits that our progress has been greatly retarded. But as his Majesty of Great Britain appears by the Remonstrance of London & Westminster to be on the eve of a war (unless he speedily desists from warring against us) with a fifth nation, I mean with the English themselves & is in other [ . . . ] & more in a very pitiful situation it is probable that we shall soon be at leisure to pay a proper attention to the Arts & Sciences, to agriculture, manufactures & commerce which so essentially contribute both to the glory & riches of a nation. Another thing however is more certain & that is the esteem with which I have the honour to be Sir,

LBC, MHi. Sedgwick Transcription.

1. The American Academy of Arts and Sciences was founded in 1780 by Willard.

### From Samuel Forman

Month March 25 1782

Dear Sir,

I am sorry to inform you that our post at Toms River was cut off yesterday morning by a Party of Refugees<sup>1</sup> under Command of Devenport.<sup>2</sup> On the alarm Capt. Huddy<sup>3</sup> Repaired to the block house, some of the inhabitants joined him in the house & some outside. The house was Defended as Long as they had ammunition, then surrendered. Maj. Cook out of the house fell—5 others were Killed & 2 wounded.

Capt. Huddy & the rest are Carried of Prisoners. Daniel Randolph Esq. amongst the Prisoners.<sup>4</sup> Abiel Akin Esq. took his Crooked Leg out of the way on the alarm.

Capt. Devanport was wounded (supposed since dead), one negro killed. After the Capture they Layed the place in ashes—excepting Aaron Buck & the widow Studsons. The inhabitants have not savd more than 2 horses will Draw. The enemy went off Immediately.

I have ordered 4 Classes of the Militia of Dover & Stafford to Mount guard Immediately. The 34 you ordered from my Regt I shall also send to Reinforce them and hope your Excellencys Approbation.<sup>5</sup>

I wish in any future orders, attention may be paid to Dover & Stafford being frontiers, and that men Cannot be Drawn from them to guard any other part of the Country. To Draw the full quota of my Regt. from Upper Freehold Lays a hardship there. Dover & Stafford makes about 1/3 of my Regt. I am Your Excellencys Obedient Servant

SAMUEL FORMAN

NB The Refugees Number 100

ALS, NHi. Published in New-York Historical Society *Quarterly*, vol. 41, July 1957.

1. For the most recent reports of attacks on Toms River see Andrew Brown to WL, Dec. 29, 1781, and David Forman to WL, Feb. 17, 1782.

2. Capt. Richard Davenport.

3. Capt. Joshua Huddy.

4. Maj. John Cook was killed in the attack; Huddy and Randolph were taken to the Sugar House in New York City.

5. For a discussion of militia needs in Monmouth see David Forman to WL, Feb. 17, 1782.

### From Jesse Hand

Cape May April 8th 1782

Worthy Sir

I have Received yours of ye 1st Instant<sup>1</sup> Together with a Commission for Captain Hand<sup>2</sup> for which Please Except my Acknowledgement of the favour; I am Sorry to understand our Magazine is in so bad Condition at this time of need I hear Mr. Townsend<sup>3</sup> got no Ammunition So that we must have Recourse to our former Method for a Supply; This day there has been the Most Severe Canonade in our bay by Some Ves-

sels about ten or twelve in Number I have heard on our Coast Since the war, who they were or in whose favour it Ended we have not heard but from appearances they were Some New York Privateers amongs Some Merchant Men and I fear the latter Mostly or all taken, one Ship run aground and was boarded and Got off from a brig, we think the brig Might be the fair American; The Hyder Ally<sup>1</sup> is not yet Come Down the bay, and if She was She is not of force by any Means Sufficient for the Combined force of the New York Cruisers as their is four or five of them who take almost Every thing that attempts to Pass; Your Excellency will Please Excuse me for the trouble of this Letter as the bearer Mr. Joseph Edwards Anckiously Requested it in favour of his Unfortunate Son who was Lately Taken up for a Deserter in Trenton this young Mans Case is most Certainly Very hard as he has done all in his Power to Make up for his Deficiency in the army having given a fellow a large Sum of Money to take his Place, who run away before he Could Deliver him, and afterward gave a Sergant Six half joannes<sup>2</sup> to Enlist a Man in his Room which he thought was done as their was a Man Enlisted with the Money:<sup>3</sup> And if good offices in a Deserter Merits favours he May be Intitled to Some, haveing been So Extremely Active in Distressing the Refugees, and Annoying the Common Enemy no less than two Express boats from Clinton to Cornwallis<sup>7</sup> was Captured by him, one the Mail was Saved and is Said was of Great Consiquence So that it is Much to be Doubted whether his Service in the Army would have been of half So Much *Consiquence* to the United States as it has been in the present Case, not that it would in future be to this State if he Could be Set at Liberty. I know he does not fall within your Excellencys line but as I like wise know that your Excellencys Interest in the Matter would do a great deal with the Gentlemen of the Army (with whom I have Scarce a Slight Acquaintance) I would therefore Pray in behalf of the Distressed Mr. Edwards that your Excellency would Enterpose your kind offices in his favour. Give me Leave to Subscribe myself your Excellencys Sincere friend and Very Humble Servant

JESSE HAND

ALS, NHi. Published in the New-York Historical Society *Quarterly*, vol. 41, July 1957.

1. Letter not found.
2. Capt. Elijah Hand of the Cape May militia.
3. Henry Townsend, captain of the Cape May militia.

4. The *Hyder Ally* was a sixteen-gun Pennsylvania state cruiser under command of Capt. Joshua Barney (New-York Historical Society *Quarterly* [July 1957], 41:319).

5. The Johannes, a Portugese gold coin, was worth approximately<sup>f</sup> 36s. sterling.

6. Joseph Edwards, lieutenant in the Cape May militia and captain of the privateer *Luck and Fortune*.

7. For an instance of mail from Clinton to Cornwallis being intercepted by privateers refer to Fitzpatrick, *Writings of Washington*, 23:247–48.

### From Robert Livingston

Manor Livingston 12 April 1782

My Dear Sir.

I last Evening received a letter from Mr. John Schuyler acquainting his Mama,<sup>1</sup> & me, with the bad State of health of his Brother Phill, at New york, who was there taken with a Stroke of the Palsey, & is very desirous of being brought over to Second River,<sup>2</sup> to his Brother & Sister; who wish to obtain your Excellencies permitt for both the Mrs. Schuylers to go over to fitch him, if this can be done, without prejudice to the State, as I realy thing it may. We will both be thankfull for your good office, & when he is brought over your Sister means to go to Second River to See him, & the other children, & her friends in Jersey, provided there is no danger from being intersepted by the Enemy.

Your amiable Daughter Miss Susan<sup>3</sup> left this about a fortunate ago & went to Couz Livingstons where Suppose She Still is, & in health.

Mrs. Duane<sup>4</sup> was happily deliverd of a daughter last Evening & is now troubled with fainting which puts the family in Some disorder, but as these are not uncommon with women hope it may Soon be over & all well.

We are all well but heartily longing for peace if that may not be yet, then at least for an open Port<sup>5</sup> that we may have Supply of real necessaryes; if not we must do best we can & wate with patience untill God pleases your Sister, Sister Lawrence<sup>6</sup> & Self joyn in Love to you, Sister & the children am Dear Sir Your Affectionate Brother

ROB LIVINGSTON

ALS, NHi.

1. John, Phillip, and the Schuyler sisters were Robert Livingston's step-children by his second wife, Gertrude Schuyler. Phillip Schuyler was a refugee who fled New Jersey for New York.

2. Second River was also called Passaic.
3. WL's daughter Susannah was visiting her uncle and his family. See Robert Livingston to WL, Jan. 23, 1782.
4. Marion Livingston Duane, Robert Livingston's daughter and the wife of James Duane, New York delegate to Congress.
5. The British still occupied the port of New York City.
6. Catharine Lawrence, WL's widowed sister.

### From Joseph Hugg

Tim Creeke April 13th 1782

Dear Sir

The Bearer hereof Captain Davis waits on your Excellency With a Certificate of his appointment to be Commissioned in the place of Simon Lucas.<sup>1</sup> I must beg leave to Suggest to your Excellency that it will be highly necessary he shou'd be Commissioned to act on the Water, As it will not be in his power to protect the State Or annoy the Enemy shou'd he be confined by his Commission to act on the Land only. There is a large Galley nearly ready to be Launched, building at the Forks,<sup>2</sup> which is to carry very heavy Metal, the Owners Wish if it be practicable that Capt. Davis's Com[pany] May be permitted to inter on board as Marines, [Capt.] Davis & the Company are equally anxious, and I must beg leave to Join in oppinion, that they by acting in Conjunction may render some service, and I am clear of oppinion that if they are Stationed at Chestnut Neck,<sup>3</sup> they cannot possibly render the least Service, as The Enemy, will always avail themselves of the Water. Inhast I am your very Humble Servant

Jos. HUGG

ALS, NHi. Published in New-York Historical Society *Quarterly*, vol. 41, July 1957.

1. Captains John Davis and Simon Lucas of the Gloucester militia.
2. Hugg is referring to the forks of the Mullica River near Little Egg Harbor. For previous correspondence relating to privateering commissions see Andrew Brown to WL, Dec. 29, 1781.
3. Chestnut Neck was a fortified privateer base on the south bank of the Mullica River.

## To Timothy Johnes

Trenton, 15th April, 1782

Dear Sir,

Your letter of the 5th instant<sup>1</sup> was just now put into my hands. I have no reason to doubt Mrs. P.'s whiggism, her indisposition of body, or her inclination to see her mother. But of what particular tendency the air of Long-Island may have to restore her to health, I do not think myself a competent judge. I cannot, however, help remarking, that the artifices of the sex are multiform beyond expression, and it is full as common for those who want a jaunt out of the enemy's lines into ours to expatiate on the superior salubrity of the Jersey air, as it is for those among us who have a passion to see themselves in Long-Island, to turn ecomiasts on the transcendent excellency of the air of Nassau. In short, a woman makes nothing of changing the nature of any of the elements to gain her point.<sup>2</sup> I do not meant to apply this remark to Mrs. P—, nor to any individual in particular. But I have so often been deceived by pretensions of this kind, that I entertain a universal distrust of them, nor ever think myself safe with less evidence than the best that the nature of the thing admits of. I am, etc.

WIL. LIVINGSTON

Sedgwick, *Livingston*, 365.

1. Letter not found.

2. See WL to Levinus Clarkson, Nov. 16, 1781, for another example of WL's reluctance to grant passes to women.

## Court-Martial of Elias Romeyn

Head-Quarters, Trenton, April 22, 1782

BY HIS EXCELLENCY THE GOVERNOR.

AT a Court-Martial whereof Major Richard Dey was president, held at the bridge in the county of Bergen, by order of his Excellency the Governor, and continued by several adjournments: Capt. Elias Romine<sup>1</sup> was tried upon the following charges.

1st. For taking bribes to remit the fines of persons disaffected to the present government.

2d. For robbing the inhabitants of their property.

3d. For threatening and abusing several of the inhabitants of the county of Bergen, for applying to the Colonel of the said county, to have him arrested and tried for the aforesaid crimes, and declaring that the whigs should suffer for the said complaint, and that he would make them sweat for it.

The court having maturely considered the evidence offered on the several charges against Capt. Romine, do find him guilty of the first and second charges, and not guilty of the third, and adjudged him to be cashiered, and dismissed from the service as an officer of the militia.

The Governor having duly considered the evidence produced to the said Court-Martial, and the sentence and acquittal of the same, approves of and confirms the adjudication of the said court against the said Captain Romine, and orders the same to take place accordingly.

WIL. LIVINGSTON

*N.J. Gazette*, May 1, 1782.

1. Romeyn (or Romine) had been ordered to prevent illegal trade between Bergen County residents and the British in New York. For previous references to such trade see WL to George Washington, Jan. 26, 1782.

### To Robert Livingston

Trenton 22d April 1782

Dear Brother

I have just now received your Letter of the 12th instant,<sup>1</sup> desiring my passport for Mr. Philip Schyler to come from New York to Second River, and for the two Miss Schuylers to go thither and fetch him. I am persuaded that I need use no arguments to convince either you, or sister Livingston, of the particular pleasure it would give me to oblige her in any request that was consistent with my duty to this State to grant. But the present is not in that Predicament. I have never given any permission for a person to return into this State, who had voluntarily left our lines to go into those of the enemy, as I am informed this Gentleman has done. Such people have had opportunity to make their election.

They have made it. They must abide the event of their choice; and we do not want them back again. Nor have I ever granted a permission for their relations living amongst us, to visit them in the enemys lines.<sup>2</sup> This rule of conduct I have prescribed to myself, to avoid the pernicious consequences that would naturally result from its opposite. And this rule I have inviolably adhered to, in opposition to the warmest solicitations of my nearest connections, having in similar cases refused the applications of Lady Stirling,<sup>3</sup> Sister Hoffman,<sup>4</sup> & the Children of Mrs. Van Horne.<sup>5</sup> I am sensible that in particular instances the Rule might be counteracted without public detriment; and probably in the case in question, the readmission of Mr. Schuyler would not prove injurious to the State. But the Precedent would be pernicious; and once established, no one in like circumstances could be refused without the imputation of partiality: And the fatal consequences that would attend an universal indulgence, are too obvious to require an illustration. My Relations, I am sure, would not wish me to adopt a measure that would either be prejudicial to the Country on the one hand, or expose my administration on the other to be branded with the reproach of partiality to Individuals.

I hope, however, that this will not prevent Sister from prosecuting her purpose of coming into New Jersey to see her Friends & Relations, who, I dare say, will all be glad to see her; and I believe none more so, than my family at Elizabeth Town. If she inquires about the proper rout as she comes on, I believe she will be in no danger from the enemy.

I wish you much joy with the birth of your grand-daughter; & hope that Mrs. Duane is by this time recovered from her indisposition.

I doubt whether we shall have a Peace this summer, as the ultra-atlantic blockeads will probably try another campaign, which will only rebound to our advantage by bringing them so much the lower, & the winter I suppose will be consumed in negociation.<sup>6</sup> But next Spring, I believe we must have it, as the people of England, among many other reasons that inspire that hope, are turning Liberty-boys in shoals, and are determined, whether the royal Fool will hear or not, to beseige his throne with petitions and remonstrances against the farther prosecution of the war. Scotland itself, even the Land of rebellion & loyalty, is running into associations & committees, and drawing the most spirited remonstrances for putting an immediate period to the american war,<sup>7</sup> in order to prevent the utter ruin of Great Britain. What think you of Con-

gress now!<sup>8</sup> Rivington owes me one of his ears;<sup>9</sup> & I suppose Governor Clinton claims the other; and as the fellow has but two, the public may take his head.<sup>10</sup> I am your affectionate Brother & humble Servant

WIL: LIVINGSTON

LS, NHyR.

1. See Robert Livingston to WL, Apr. 12, 1782.
2. For a similar incident see WL to Levinus Clarkson, Nov. 16, 1781.
3. Mary Livingston Alexander. See WL to Lord Stirling, Sept. 25, 1779, 3:169–70.
4. Alida Hoffman. See WL to Philip Hoffman, Sept. 15, 1781, and refer to Alida Hoffman to Robert Livingston, Apr. 20, 1781 (NHyR).
5. The Van Horne and Livingston families were friends of long-standing. Refer to WL to David Van Horne, Mar. 23, 1782 (MHi), for recent correspondence.
6. On April 12 Richard Oswald, the envoy of English secretary Lord Shelburne, arrived in Passy to discuss with Benjamin Franklin the possibility of a separate peace. The treaty between the United States and France prohibited one ally from making peace without the other. On April 23 the British cabinet instructed Oswald to have Paris named as the center of negotiations. They continued to insist that Britain would allow independence to America only upon the restoration to Britain of all territory gained with the Treaty of 1763. Oswald did not possess plenipotentiary powers. The negotiations with France were to be conducted by Thomas Grenville, the envoy of foreign minister Charles James Fox. For the origins of these dual negotiation see WL to Benjamin Van Cleve, Mar. 20, 1782, and WL Message to the Assembly, May 17, 1782, and n. 1.
7. These petitions were often reprinted in American newspapers. In March 1782, for example, the *N.J. Gazette* reprinted several items which had originally appeared in the *Royal Gazette*. These included a petition from manufacturers and inhabitants of Westminster to George III, William Pitt's address to Parliament, and Sir James Lawther's motion in the House of Commons (*N.J. Gazette*, Mar. 6, 13, 20, and 27, 1782).
8. WL's comment is derived from loyalist clergyman Thomas B. Chandler's 1775 pamphlet, "What think ye of the Congress now? or, an enquiry, how far the Americans are bound to abide by, and execute the decisions of the late Congress?" (Evans, No. 13866).
9. See the *Royal Gazette*, Aug. 25, 1781, for the source of this remark.
10. Theodore Sedgwick's copy of this last phrase was written: "& as the fellow has but two, the public may take his head" (MHi).

To Azel Roe

Trenton 22d April 1782

Revered Sir

I have been averse to the Plunders committed by our people in Staten Island & Long Island because tho' in possession of the Enemy, they belong to the State of New York, & because these depredations have nothing in them decisive but are merely intended to enrich a few indi-

viduals & often with the property of good whigs. And Congress being utterly against it, I refused a Commission to Captain Story<sup>1</sup> his professed intention being to plunder on Staten Island upon which the Representatives of your County solicited me in the warmest manner to grant it & upon my finally refusing it as in honour I could not grant it without breach of trust to Congress they had influence enough to procure an Act of the Legislature directing the Governor to grant Commissions for privateering under the State.<sup>2</sup>

LBC, MHi. Sedgwick Transcription.

1. Livingston denied Capt. John Storer of Monmouth County a privateering commission despite the recommendations of the New Jersey Assembly and Continental Congress member William C. Houston. Refer to *General Assembly* (May 15–June 28, 1781), 48, and see William C. Houston to WL, June 13, 1781.

2. For the congressional resolution refer to *JCC*, 14:758–59. For the assembly act, refer to “Instructions to privateer owners and captains,” which was passed on June 27, 1781 (*Acts* [May 24–June 28, 1781], 113–15).

### From John Bray

Raritan Landing 24th April 1782

Sir

On Saturday Morning last Capt. Hyler with his Gun Boat & Thirty-five Men Boarded a Trading Sloop Commanded by Capt. James Corlies but finding nothing of any Consequence on Board thought it most adviseable to suffer her to be ransom'd which was accordingly done.<sup>1</sup> He then proceeded to an Arm'd Cutter Sloop of War called the Alert which mounted Six 18's & Dble fortified 9's & two Six Pounders Commanded by Capt. Robert White. She was outward bound on a four Months Cruise. Capt. Hyler and his Brave Crew with the greatest spirit Boarded her and after a few Minutes Conflict in which Capt. White was Wounded she Struck. The Alert had 46 men on Boa[rd] which so far exceeded Capt. Hylers number that he was under the necessity of tying them by way of securing to himself. This being done he made Sail but after running about Two Miles the wind not being favourable and impracticable with safety to make a Tack as it would have sent him down among the Fleet<sup>2</sup> he ran her aground. This being done he took out of her a Quantity of Powder, Arms, A Valuable Chest of Medicine etc. etc. together with the Prisoners and then blew her up after which he brought the

Prisoners etc. to Middle Town Point from which place they were Conducted (save Eleven Negroes which are detain'd for Tryall) to Elisabeth Town for Exchange.<sup>3</sup> Several Men were Slightly wounded on both sides. Capt. Hyler is again out & beg'd that in my Letter to you that I should particularly mention Lt. John Bates whose Bravery & good Conduct throughout the whole merit the Greatest applause. I shall carefully examine the Papers that were on Board & if any of Consequence appear they shall be forwarded to you for your Perusal. Do herewith send you a list of the Prisoners Names together with their respective ranks. . . .<sup>4</sup> Your Most Humble Servant

JOHN BRAY

ALS, NHi. Published in New-York Historical Society *Quarterly*, vol. 41, July 1957.

1. For an account of Hyler's exploits refer to *N.J. Gazette*, Apr. 24, 1782, and to Adam Hyler to WL, Sept. 17, 1781 (NN).

2. The British fleet at New York harbor.

3. For notice of the sale of the black prisoners see *N.J. Gazette*, May 29, 1782 (*NJA*, 5:446).

4. A list of prisoners' names was appended to this letter. The microfilm edition will contain that addendum.

### To William Moore

Trenton 26 April 1782

Sir

I find myself honoured with your Excellency's Letter of the 23d instant<sup>1</sup> containing a request to me from the Council of your State "to order Capt. Robert White lately captured by Capt. Hyler,<sup>2</sup> & who has been an atrocious offender in your State, to be transmitted thither & delivered to the Sherif of the City & County of Philadelphia."<sup>3</sup>

Your Excellency & the Council will be pleased to be assured that no exertion of mine shall ever be wanting to aid another State in securing persons who have committed crimes within their jurisdiction, & are afterwards found within ours; and I should think myself particularly happy in this opportunity of giving the clearest demonstration of that disposition by directing the apprehension of White. But as the Laws are fully competent to the present exigency, there is no necessity for, (and indeed there may be public offence given by) the interference of the Executive of this State in this matter. All that is requisite is, for your

Chief Justice to issue his warrant for apprehending White, & on your Sherifs' calling on our Chief Justice with such warrant, & the latter will indorse it; in virtue of which your Sherif may apprehend him in any part of this State.

I did however immediately on the receipt of your Excellency's Letter dispatch an Express to Capt. Hyler to Brunswick<sup>4</sup> where I am informed he is, directing him not to send White to the Commissary of Prisoners, (as our Privateers by their Instructions are directed to do) but to secure him in the best manner possible; & if he should have been sent before my Letter reaches him, to send for him back again & keep him in the securest manner he can, till farther orders. With the greatest Esteem I have the honour to be your Excellency's most obedient and very humble Servant

WIL: LIVINGSTON

ALS, CtY.

1. Refer to William Moore to WL, Apr. 23, 1782 (NHi).
2. For the capture of Capt. Robert White by Adam Hyler see John Bray to WL, Apr. 24, 1782.
3. Robert White and his wife Jane were accused of illegal trade in timber, selling it to the British in New York after buying it in Philadelphia (PMBH, 27: 157n).
4. Letter not found.

To William Moore

Trenton, 27 April, 1782

Sir,

Since I had the honour of writing to your Excellency yesterday concerning Capt. White, I have received a Return of the Prisoners taken by Capt. Hyler, among whom Robert White is one & returned as Captain of the Cutter, & I have authentic proof that he is the very man whom you want.<sup>1</sup>

But unfortunately, all those Prisoners were immediately sent on by Capt. Hyler to the Comissary of Prisoners at Elizabethtown, and (the Enemy having greatly the advantage of us in the number of marine Prisoners) immediately sent to New York for Exchange.<sup>2</sup> I have the honour to be, with great respect and attachment, your Excellency's most obedient, & very humble Servant

WIL. LIVINGSTON

*Pa. Archives*, 1st ser., 10:730.

1. For background on this incident see John Bray to WL, Apr. 24, 1782.

2. White was exchanged despite Washington's efforts to keep him a prisoner. He was later charged with treason and his estate confiscated (Sabine, *Loyalists of the American Revolution*, 2:422).

### From Jacob Gerhard Diriks

Paris, April 29, 1782

His Excellency:

I have the honor to inform you that Mr. Adams has arrived in The Hague on December 19th, and on the 21st His Excellency presented his letter of introduction to Their Highnesses.<sup>1</sup> The joy which the recognition of the independence of America has caused is unspeakable. I cannot say it is universal, but the pro-English are very much discontented. They curse and rage terribly. America will not therefore be less fortunate. I do not need to tell Your Excellency what a pleasure I feel that this matter has been decided so fortunately and gloriously for the patriotic party.<sup>2</sup> Now we are still not allied with France,<sup>3</sup> and when we have shown our expression of thanks to our benefactors, we [will] have a good conscience and our country will be happy. England is no longer to be taken into consideration, and there is not the slightest inclination toward peace with that kingdom. The Dutch peats are beginning to ignite. I hope that their fire will become so hot for the English that they will be forced to make a painful peace. The province of Holland has quite firmly turned down the proposition for a special peace which the new English minister has had offered.<sup>4</sup> Our squadron, which sailed to the West Indies is causing much tumult. Some say that the latter had an engagement with the squadron commanded by Rodney off the *Orcades*,<sup>5</sup> that the latter had cannonaded in such an unfortunate way, that our small fleet had been forced to surrender. Others say that our fleet has beaten the English, and would have taken a frigate, a cutter, and merchant ships. Time will tell how the affair has ended. Our great fleet shall hurriedly go to sea, so that great things shall occur in a short [time], of which I shall give Your Excellency a report. My previous [letters] dated from Brest,<sup>6</sup> I hope would have arrived. I have written Mr. Erkelens about various matters with a request to inform Your Excellency about these. And being convinced of his highest sympathy for

our common welfare,<sup>7</sup> it is my most humble request, if Your Excellency would please be so kind, to assist him in whatever way Your Excellency should see most necessary. People have followed us with the greatest perfidy in Holland. It is about eight days since I left The Hague. There is no hope at all of my being commissioned in the Dutch army, and that because I have served America. Then the Stadholder, being complete master of military matters, is pro-English.<sup>8</sup> I hope shortly to be able to report that I am commissioned in the French army. I have been recommended to the ministers at Versailles. Recommend me in Your Excellency's memory, and I have the honor, with the highest esteem, to be acknowledged Your Excellency's most humble and obedient servant

DIRIKS

ALS, MHi.

1. Adams had arrived in the Netherlands in the summer of 1780. He first settled in Amsterdam, then Leiden, where the populations were sympathetic to the American cause. It was only after he learned in February 1781 of his appointment by Congress as minister plenipotentiary to the United Provinces that Adams travelled to The Hague. Adams' letter of introduction is dated Apr. 19, 1781.

The American victory at Yorktown, as well as van der Capellen's pamphlet advocating democratic principles, *To the People of the Netherlands*, paved the way for Adams's appearance at The Hague on Dec. 19, 1781. At that time he requested a reply to his April letter. On Feb. 26, 1782, the province of Friesland officially instructed its deputies in the States General to recognize the United States and accept Adams's credentials as minister. On March 28 the States of Holland adopted a similar resolution, with other provinces following their example in early April. On Apr. 19, 1782, a resolution of the States General officially recognized Adams as the envoy of the United States. Adams presented his letter of introduction to the States General on April 20 not 21. See Baron van der Capellen to WL, Aug. 15, 1781. Refer to "Memorial to their High Mightinesses, the States General of the United Provinces of the Low Countries" in Charles Francis Adams, ed., *The Works of John Adams*, 10 vols. (Boston: 1852), 7:396-404.

2. The Dutch Patriots were a loose coalition of merchants, manufacturers, intellectuals, Catholics, and dissenters from the established Dutch Reformed Church, who opposed the hereditary Stadship of the House of Orange. The movement originated as a result of the decay of the Dutch economy and the inability to improve it because of a stagnant government policy.

3. Although at war with the English, the Dutch hesitated to openly ally with France. The House of Orange and its supporters still hoped for reconciliation with England. In addition, most Dutch feared that their country would fall into a state of dependence on France, but early in March 1782, the States General agreed to act with France against England. For the development of the Anglo-Dutch conflict see Baron van der Capellen to WL, Aug. 15, 1781, and May 25, 1781.

4. Charles James Fox, the new English minister for foreign affairs in the Rockingham government that followed the fall of the North ministry in late March, made an offer of peace to the United Provinces through Russian mediators. For the fall of the North minis-

try see WL to Robert Livingston, Apr. 22, 1782. The Dutch commitment to the French and Americans had gone too far and the initiative was rejected.

5. The Orcades or Orkney Islands are off the northeast coast of Scotland. Adm. George Rodney, sailed from England to the west Atlantic in January 1782 and was in the West Indies until the late summer. It is possible that Diriks is referring to the battle of Dogger Bank in August 1781. After this battle the main body of the Dutch fleet retired to Texel and remained there until May 1782. See Baron van der Capellen to WL, Aug. 15, 1781.

6. Letters not found.

7. For WL's relationship with Diriks and Erkelens see Gosuinus Erkelens to WL, May 18, 1781.

8. The Dutch had been allied with England since the late seventeenth century. William II, William III, and William IV had all married daughters of English kings. William III and his wife Mary had been king and queen of Great Britain after the Glorious Revolution of 1688. William V, the Stadholder, or chief executive, of the United Provinces since 1751, was the son of the English princess, Anne of Hanover. In addition, William V came to rely on English support against the growing patriot movement whose members not only resented English competition, but also hoped to weaken the office of stadholder and reorient foreign economic policy.

### From Robert R. Livingston

*Philadelphia 2d May 1782.* Encloses congressional resolution stating that Britain refuses to negotiate with mediators regarding the question of American independence but instead insists that their former colonists wish to resume their allegiance.<sup>1</sup> The expectation of the British is that they will win because of American weakness and indifference. The British also seek to weaken the French alliance by saying it has the support of only a few discontented Frenchmen. Congress believes the British will seek to undermine the American union by offering to negotiate separate peace treaties with individual states.<sup>2</sup> Livingston urges the state legislatures to raise and support armies and not to negotiate independently with the British. He further urges the full support and cooperation of each state to the revolutionary cause.

Df, NH*i*.

1. Livingston was directed by Congress to inform the states of Great Britain's intention to negotiate with each separately and to reiterate the need for united action (*JCC*, 22:221–23).

2. For previous reference to Great Britain's negotiation plans see Robert Livingston to WL, Jan. 23, 1782, n. 3.

## From Henry Brockholst Livingston

Provost, New York, 3 May 82

My dear Sir,

If you have received my letter by the Commerce you already know of my leaving Cadiz on the 11th of March last.<sup>1</sup> The 25th of the month following I was taken by the Quebec frigate, & yesterday by General Robertson's order committed to the Provost of this City.<sup>2</sup> I have taken the liberty to remonstrate with that Gentleman on this measure. Enclosed You have a Copy of my letter to him.<sup>3</sup> I hope you will think it conceived in spirited & at the same time in decent terms. Whether it will work out my release I cannot tell. It has been hinted to me by the Provost Martial, and perhaps you will hear it, that I shall not be set at liberty, until Lippincott's affair be settled, and that if General Washington puts his threat into Execution, I may be thought a proper subject for retaliation.<sup>4</sup> I laugh at this Insinuation, and am so fully persuaded of the justice of our General's Conduct on this occasion, that did I believe any thing of the kind would be mentioned to him, I would entreat him myself to pay no attention to it. On this I am determined, that let what will happen, I will never stoop so low as to ask the smallest favor at their hands, and could I believe that my letter to General Robertson could be considered in that light, I would rather have burnt than sent it. Pray give yourself no uneasiness on my account. I must do Capt. Cunningham<sup>5</sup> the Justice to say that he does every Thing in his power to render my situation comfortable.

Mr. & Mrs. Jay are well. Sally had another daughter in february.<sup>6</sup> I am my dear Sir Your dutiful Son

HENRY B. LIVINGSTON

ALS, DLC:GW.

1. Letter not found.

2. Brockholst left Madrid on Feb. 7, 1782, and sailed from Cádiz on March 11. On April 25 Brockholst's vessel was intercepted by the British frigate *Quebec*. He nevertheless managed to destroy several dispatches he was carrying from John Jay to Congress. Copies of the dispatches were also sent with Stephen Codman of Boston (Morris, *Unpublished Papers of John Jay*, 2:126, 254). Brockholst was taken to New York City and confined by Lt. Gen. James Robertson on the grounds that he was carrying dispatches to Congress.

3. In a letter to Robertson, Brockholst complained he was denied an interview with the British commandant and that, as an officer, he should not be imprisoned. Brockholst was told that the British were reluctant to parole him because they did not want him to communicate to Congress news of American negotiations in Spain. Brockholst pointed out he would not break an officer's pledge to secrecy but could easily smuggle out the information. He also noted that several British officers imprisoned by the United States were paroled in New York City. While he would not suggest retaliation, his treatment by the British might provoke such measures "however repugnant to the dictates of humanity" (Morris, *Unpublished Papers of John Jay*, 2: 253, 254).

4. "Lippincott's Affair" refers to the case of Joshua Huddy who had been captured by the British in March 1782. See Samuel Forman to WL, Mar. 25, 1782. The British commander-in-chief, Sir Henry Clinton, placed Huddy in the custody of Capt. Richard Lippincott of the Associated Loyalists, British Provincial Troops. Lippincott hanged Huddy on April 12 at Middleton Point after charging him with having killed Philip White, a Loyalist related to Lippincott. The incident was first brought to the attention of Washington by a report from Henry Knox and Gouverneur Morris, the exchange commissioners at Elizabethtown. After consulting with his officers, Washington concluded that retaliation was "justifiable and expedient" and that Lippincott or an officer of equivalent rank to Huddy should be demanded from the British for the purpose of retaliation. When the British reply proved unsatisfactory, Washington directed Gen. Moses Hazen to designate by lot a British captain for the purpose of retaliation (Fitzpatrick, *Writings of Washington*, 24: 136–139, 145, 146, 217–221).

5. William Cunningham.

6. See Sarah Jay to WL, Jan. 31, 1782.

### From George Washington

*Headquarters, May 6, 1782.* Washington informs WL that he has heard of Joshua Huddy's murder and that he has demanded that the British surrender the persons responsible on penalty of retaliation.<sup>1</sup> The British commander, Sir Henry Clinton, replied that although the perpetrators justify their behavior by pointing to acts of cruelty committed by Americans, they would be court martialed.<sup>2</sup> Washington cautions WL that he will not tolerate acts of retaliation that are contrary to the laws of war and would deliver to the enemy or punish any Americans guilty of such behavior. He urges WL to seize offenders who fall under his civil jurisdiction. Washington also cites British complaints about the detention of Hetfield and Badgely.<sup>3</sup> He queries WL about the causes of their arrest and urges they be released if unjustly apprehended.

Lcy, DLC:GW.

1. See Henry Brockholst Livingston to WL, May 3, 1782. Refer to George Washington to Henry Clinton, Apr. 21, 1782 (Fitzpatrick, *Writings of Washington*, 24: 146–47).

2. On receiving Washington's demand, Clinton immediately requested a report from Gov. William Franklin and the Associated Loyalists. Refer to Sir Henry Clinton to William Franklin, Apr. 20, 1782, and Sir Henry Clinton to George Washington, Apr. 25, 1782 (DLC:GW). For British complaints about cruelty to Loyalists refer to James Robertson to George Washington, May 1, 1782 (DLC:GW).

3. In his May 1 letter Robertson complained that John Hetfield and Abner Badgely had been apprehended after already having been released by the commissary of prisoners under sanction of a flag. Refer to James Robertson to George Washington, May 1, 1782 (DLC:GW). For Hetfield's earlier arrest see John Adam to WL, Jan. 28, 1782.

## From Sir Guy Carleton

Head Quarters New York 7 May 1782

Sir

Colonel Livingston will have the pleasure of placing this Letter in Your Excellency's hands.<sup>1</sup> His Enlargement, Sir, has been the first Act of my Command, being desirous, if War must prevail, to render its Evils as light as possible to individuals.

It would be as Difficult as it seems useless to trace from what first Injuries those Acts of Retaliation, public or private, which have lately passed, are Derived, but it is highly important that the practice itself should be brought to the most speedy conclusion, without which we shall all be involved in one common Dishonor. Thus impressed I cannot help earnestly Wishing that You may find yourself disposed to recommend this point, which Humanity so much requires to the Deliberations of your Assembly. The Acts to which I allude having passed in your Province<sup>2</sup> and I for my part shall most gladly meet you upon the Ground of any Regulation, which may take from us this Reproach, and if any reciprocal engagement should be required of me, I shall be ready to adopt any Measures which may be thought effectual to this End, fully sensible that Acts of private Passion and Resentment, tho' productive of much unnecessary Evil, contribute nothing to public and general Decisions. What I have here proposed, Sir, are the Arrangements of War, but I shall be truly happy if any Pacification can be Obtained, which may be equally safe and Honorable to all.

I transmit herewith certain papers<sup>3</sup> which will shew your Excellency the Disposition of the Government and People of England. From the facts which your Excellency will thence Collect you may judge what

further Consequences must speedily follow. I have the Honor to be  
with much respect Your Excellency's Most Obedient Servant

GUY CARLETON

LS, NHi. Published in *New-York Historical Society Quarterly*, vol. 41, July 1957.

1. For Brockholst's capture see Henry Brockholst Livingston to WL, May 3, 1782. Sir Guy Carleton, who replaced Sir Henry Clinton as commander-in-chief of British forces in America, arrived in New York on May 5, 1782.

2. Carleton is referring to the aftermath of the Huddy incident. See George Washington to WL, May 6, 1782.

3. Papers not found.

### Proclamation

Head-Quarters, Trenton, May 13, 1782.

#### BY HIS EXCELLENCY THE GOVERNOR

WHEREAS His Excellency the Commander in Chief of the armies of these United States has given the most peremptory orders<sup>1</sup> to the officers under his command, that no flag from the enemy shall be received at any other place or port than Dobbs's-Ferry, on any business or pretext whatever; and that no flag from us to them shall (for any reason however pressing) be permitted to pass to the enemy's lines, except from the same place; and hath solicited my concurrence and assistance in the execution of this measure—I do therefore hereby notify the same to all the officers of the militia of this state, and all others whom it may concern: and all such officers are hereby directed not to receive any flag from the enemy at any other place or port than Dobbs's-Ferry, on any business or pretext whatever, nor to permit any flag from us to them (for any reason however pressing) to pass to the enemy's lines, except from the same place. And for the more effectually carrying into execution the said regulation, which from the present juncture of affairs is become peculiarly necessary; every officer of the said militia who is now, or hereafter may be, on command at any post in this state, is hereby directed to put under immediate arrest any other officer who shall presume to contravene the intention of this order on our side; and to detain, as prisoners, all persons that shall come from the enemy with flags, at any other place or port than the one as aforesaid for that purpose established.

WIL. LIVINGSTON

*N.J. Gazette*, May 15, 1782.

1. Refer to George Washington, General Orders, May 10, 1782 (Fitzpatrick, *Writings of Washington*, 24:242).

## To Sir Guy Carleton

Trenton 13th May 1782

Sir

I find myself honoured with your Excellency's Letter of the 7th<sup>1</sup> instant, which notwithstanding the benevolent Sentiments it contains, & which are truly characteristic of your Excellency's humanity, was rendered still more agreeable by the bearer<sup>2</sup> who delivered it, & who, but for your Excellency's seasonable arrival, might have long been continued in confinement, thro' the operation of that contrary disposition by which some of your Predecessors in command, have been so remarkably distinguished.

Your Excellency informs me that "Colonel Livingston's enlargement has been the first act of your command, being desirous that if war must prevail, to render its evils as light as possible." So early an advertance to prevent the exercise of any unnecessary rigour against prisoners of war, & that at a time when you must have been involved in a multiplicity of business, is the strongest proof of your aversion to that System of severity of which the Americans have long had reason to complain; and as the young Gentleman was confined immediately after a tedious voyage which rendered exercise and elbow room the more necessary on his arrival, his liberation into open air and liberty, must be proportionally agreeable to him; and I am confident that he is impressed with proper sentiments of your Excellency's politeness & civility toward him. In the character of his Father, I am also happy in having him so soon given to my embraces, thro' those tender feelings for which your Excellency was celebrated before you left America. Surely every reasonable man must applaud an uniform conduct influenced by the Principles of humanity to all mankind, but respecting any particular civilities to myself or my connections, I have never wished to be any farther distinguished from my fellow citizens at large, than as a generous Enemy may be able from true greatness of Soul, rather to esteem, than to pursue with implacable & dishonourable vengeance any public person for his fidelity to the cause in which he originally embarked from principles of Con-

science, and in which he conceives it his duty to persevere to the end, at the risque of every thing estimable among mankind.

I have the honour of entirely concurring in sentiment with your Excellency, that “it is highly important that the practice of retaliating public or private injuries (or rather that the perpetration of such injuries as demand retaliation) should be brought to the most speedy conclusion” That it has arisen from any injuries offered by us, I can candidly assure you Sir, is what has never come to my knowledge. Nor do I recollect a single instance in which the Militia or any other Citizens of this State have treated a prisoner of war with inhumanity, or contrary to the Law of arms. Such conduct, I should think it my duty to the utmost of my power to discountenance; & I am most heartily disposed, to promote, to the extent of my authority, any regulation that may appear best calculated to prevent, on both sides, “all such Acts of private passion or resentment which (as your Excellency justly observes) tho’ productive of much unnecessary evil, contribute nothing to public and general decisions.” But as to any instrumentality of mine toward “obtaining any pacification which may be equally safe and honourable to all,” for which your Excellency expresses your wishes, that is a matter altogether out of my department; and I doubt not every loyal Citizen of these United States repose, the most perfect confidence in the Wisdom and Integrity of Congress respecting the final establishment of our Independence.

Your Excellency is farther pleased to observe that you “transmit me with your Letter certain papers<sup>1</sup> which will shew me the disposition of the Government and people of England,” and that, “from the facts which I will thence collect, I may judge what further consequences will speedily follow.” Those papers Sir, do really shew me that the disposition of the *people* of England is for peace: but that such is the disposition of the *Government* of England, appears to me not equally evident from a serious & impartial consideration of sundry English & New York papers containing the last intelligence from England together with the debates in parliament upon several motions respecting the American war. I have the honour to be with great Esteem your Excellencys most obedient Servant

WIL: LIVINGSTON

ALS, NHi. Published in New-York Historical Society *Quarterly*, vol. 41, July 1957.

1. See Sir Guy Carleton to WL, May 7, 1782.

2. Henry Brockholst Livingston.
3. Papers not included. For discussions of American peace terms in Parliament and other public debates see *Royal Gazette*, May 4, 8, 11, 18, and 27, 1782.

### From David Brearley

Trenton May 13th 1782

Sir

Agreeably to the request of your Excellency,<sup>1</sup> that I would state the circumstances respecting of Hetfield & Badgley, I have the honour to inform you that at the time we were holding of a special Court in Essex last winter, information was made to me that very improper uses were made of Flags of Truce passing between Elizabeth Town & Staten Island.<sup>2</sup> That they had become the Vehicle of clandestine trade & commerce, with the Enemy. That this business was carried on by people of the worst characters, who had fled from us. That we had no Post kept at Elizabeth Town at that time and that no military officer was stationed there. It then became me to make the necessary inquiry in this business, I therefore issued my warrant to the Sherif directing him to go to Elizabeth Town, apprehend & bring before me those who were there under colour of Flags of truce. In obedience thereto the Sheriff seized the above mentioned John Smith Hetfield & Abner Badgley together with several others, some of whom I discharged; but those who were charged with High Treason, I committed to prison of this description were the said Hetfield & Badgley, who had joined the Enemy long since the passing of the treason Act,<sup>3</sup> & whose persons, by the Laws of Nations are not protected by Flags of Truce.

I found the Complaint that had been made respecting the abuse of flags, to be well founded. When the Sheriff got to Elizabeth Town, there were at the point, no less than three Boats from Staten Island, carrying Gen. Skinners<sup>4</sup> flag Orders, some of which had been there a week; and so bold were they in this business, that the ostensible reason for one of them, as mentioned in the Orders, was for two or three of those Miscreants, to visit their Friends at Elizabeth Town.

Perhaps it may be unnecessary further to observe to Your Excellency, that all those who were apprehended by the Sheriff, were taken two Miles from their Boats, without any leave given by any officer of ours. Indeed some of them had been riding about the Country in sleighs. But if this had not been the case, I should have committed them, so certain I

am that by the laws of Nations they were totally unprotected by their Flags of Truce. I have the Honor to be with great truth Your Excellencys obedient humble Servant.

DAVID BREARLY

P.S. I had forgotten to mention, that one of those whom I discharged was a certain Job Hetfield<sup>5</sup> who, although clearly a Traitor, had formerly been exchanged by the military— and whenever that has happened, I have always considered it as a discharge from their Allegiance, and this, in Order that the conduct of the civil & military may harmonize as much as possible.

D. BREARLY

Lcy, NN.

1. Letter not found.
2. For a discussion of the abuse of flags see WL to Thomas Henderson, John Covenhoven, and Thomas Scabrook, Jan. 18, 1782.
3. For the passage of “An Act to punish Traitors and disaffected Persons” see WL Proclamation [Feb. 5, 1777], 1:214–16.
4. Abraham Skinner.
5. For Washington’s query about Hetfield see his letter to WL dated May 6, 1782.

### From Robert Morris

Office of Finance May 13th 1782

Sir,

In Pursuance of the Act of Congress of the twentieth of February last which has already been forwarded to your Excellency from this Office<sup>1</sup> I now do myself the Honor to nominate Mr. Lewis Pintard<sup>2</sup> for Commissioner to settle the Accounts between the State of New Jersey and the United States and to liquidate and Settle in Specie Value all Certificates given by Public Officers to Individuals in that State, and other Claims by such Individuals against the United States according to the Form and Effect of that Act.

This Gentleman is a Citizen of the State of New York and warmly recommended to me as a man of Sense, Integrity, Industry, and compleat knowledge of Business and Accounts. I hope he may prove acceptable,<sup>3</sup> and so conduct the business as to deserve the approbation of all good men. Your Excellency will Pardon me for Mentioning, that in no

Instance the Citizen of any State, will be nominated for the State to which he belongs. The evident Propriety of this rule may render the information unnecessary, but I thought it best to give it, in Order that no Misconception might take Place. I have the Honor to be with great Respect. Sir Your Excellency's Most Obedient and humble Servant

ROBT MORRIS

LS, PHi.

1. Neither the act of Feb. 20, 1782, nor the accompanying letter has been found with WL's papers. Morris sent two circulars dated Mar. 9 and Apr. 5, 1782, to the governors of the states. Refer to Ferguson, ed., *The Papers of Robert Morris*, 4: 375–76, 519–20. The act of Feb. 20, 1782, was another attempt to get states to meet their portions of war expenses. See Samuel Huntington to WL, Mar. 23, 1781, for past acts relating to federal finances. The appointment of commissioners to facilitate the collection of money was suggested by New Jersey memorials to Congress, Nov. 9 and 14, 1781 (*JCC*, 21:1132, 22:83–86).

2. Lewis Pintard was the former New York City commissary of prisoners. For previous reference to Pintard see WL to the Assembly, Nov. 7, 1777, 2:104–5, n. 3.

3. WL presented this letter to the assembly in his Message of May 17, 1782. Pintard's nomination was approved by the legislature on May 22, 1782 (*General Assembly* [May 15–June 24, 1782], 4, 5, 9; *Legislative Council* [May 15–Oct. 5, 1782], 5).

### To George Washington

Trenton 13 May 1782

Sir

I have just received your Excellency's Letter of the 10th instant<sup>1</sup> respecting your having established the Post at Dobbs's Ferry as the only one in this State for Flags to pass from, & be received at. Of the necessity of this measure I am so fully convinced, that I shall immediately notify it to the officers of our Militia, & use every mean in my power to carry it into execution. Your Excellency may also depend on the concurrence of the civil power of this State in preventing all other Intercourse with the Enemy, as far as possibly can be done.

I am also honoured with your Excellency's Letter of the 4th instant,<sup>2</sup> which I shall not fail to lay before our Legislature, which meets next Wednesday & earnestly hope that the reasons therein assigned for the most vigorous exertions, with several other papers in the same Subject may have their proper weight in their Deliberations.

My Suspicions that the Enemy mean again to lull us into Security by

fallacious professions of their inclination for peace, are greatly confirmed by your Excellency's entertaining the like jealousies; & as far as possible to prevent any such effect upon the minds of the people from the publication of the English papers in our Gazette,<sup>3</sup> I thought it proper to have them introduced to the public, with a caution to the people against being deluded by their artifices.

Your Excellency's Letter on the Subject of the capt[ure] & detention of Hetfield & Badgely,<sup>4</sup> I cannot at present answer, but hourly expect the solution of those Questions from the Chief Justice, & when I receive it, shall lose no Time in doing myself the honour to transmit it. With great respect, I have the honour to be your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, May 10, 1782 (DLC:GW), and see WL Proclamation, May 13, 1782.

2. Refer to George Washington to WL, May 4, 1782 (Nj). The letter, along with others urging New Jersey to fulfill its quotas, was read to the assembly on May 17 (*General Assembly* [May 15–June 24, 1782], 4).

3. For comments on British peace proposals see *N.J. Gazette*, May 15, 1782, and "Resolutions" of the legislature (*Legislative Council* [May 15–Oct. 5, 1782], 7).

4. For earlier discussion of John Hetfield and Abner Badgely see David Brearley to WL, May 13, 1782.

### To George Washington

Trenton, 14th May 1782

Sir

I now do myself the honour of particularly addressing myself to answer your Excellency's Letter of the 6th instant.<sup>1</sup>

While the whole world must applaud your Excellency's resolution of retaliating for the barbarous murder committed upon capt. Huddy, which is in favour of humanity by its tendency to prevent the like cruelties; this State, of which he was a good Citizen & a brave Soldier is particularly obliged to your Excellency for your zeal & exertions upon that occasion.

Utterly divesting myself of all local attachments, & of every possible prejudice in favour of New Jersey, I really do not recollect that the Mili-

tia of this State, or any other of its citizens have ever committed against a Prisoner of war any act of cruelty, or treated such prisoner, in any instance contrary to the Laws of arms. Sure I am that I should discountenance the practice to the utmost of my power, and all that prevents me from issuing the most positive orders against it is, that such orders would either imply the previous practice; or be ranked with the folly of a Legislator who should enact Laws for punishing a crime that had never been committed.

If the enemy complain of any cruel treatment from our Militia toward their prisoners they ought, like all other accusers, to produce their proof, & then I am persuaded that they will not complain in vain, as they well know that we have done to this very moment.

Respecting your Excellency's enquiry concerning the circumstances of the capture of Hetfield & Badgley, & the causes of their detention I inclose a Copy of Chief Justice Brearley's<sup>2</sup> Letter to me on that Subject, & have the honour to be with the greatest esteem your Excellency's most humble & very obedient Servant.

WIL: LIVINGSTON

Lcy, NN.

1. See George Washington to WL, May 6, 1782.
2. See David Brearley to WL, May 13, 1782.

### “Old Politician”

May 15, 1782

For the NEW-JERSEY Gazette.

WHOEVER will carefully peruse the latest New-York and English papers respecting the American war,<sup>1</sup> with the debates of parliament on that subject, cannot avoid concluding that the proposed alteration of measures, as to its future prosecution, instead of affording us any rational prospect of peace, is intended as a mere delusion to quiet the minds of the people of England, and to lull America into a state of inactivity and indolence.<sup>2</sup> The eagerness with which the tories amongst us are propagating the news of a peace, is another argument with every man of reflection, that we cannot be too cautious in believing reports so apparently calculated for the same insidious purpose. Depend upon it,

my countrymen, that the real plan of the British ministry is to draw us off from our connection with France;<sup>3</sup> that having with this deception hushed us into security, they may be the better enabled to prosecute the war in other parts of the world with the greater rigour, and if successful, return upon us with redoubled fury.

With these impressions it is earnestly wished, that every real friend to his country will peruse all the European intelligence contained in this paper, and not agree on the least relaxation of our operations against the enemy the ensuing campaign, well knowing that if the parliament are really in earnest in obtaining peace with us, it cannot be to our disadvantage to keep our arms in our hands until our wishes of an honourable peace are fully accomplished.

AN OLD POLITICIAN

*N.J. Gazette*, May 15, 1782.

1. See, for instance, *Royal Gazette*, May 6, 1782.
2. WL had made a similar argument in his letter to Washington of May 13, 1782, and had said that he planned to caution the public against such delusions. These arguments and the phrasing also echo those used by Robert R. Livingston in his circular to WL of May 13, 1782, and by WL in his Message to the Assembly of May 17, 1782.
3. See Robert R. Livingston to WL, May 2, 1782, n. 2.

## To the Assembly

Trenton 17th May 1782

Gentlemen

While the Enemy is practising every art to delude us into a belief of their pacific Intentions towards us & to excite Jealousie, between France & America, there is the greatest reason to conclude from an impartial consideration of the latest intelligence from England & the debates in parliament<sup>1</sup> upon several mentions respecting the American war, that they really mean to continue their hostilities with greater vigour than ever. It is more probable that they will change their mode of prosecuting the war & that only from the impracticability of pursuing it with success without the least compunction of conscience for the horrid injustice of the rise & progress, but as this new mode will be more agreeable to the inclination of the people of England, it will for that very reason be more dangerous for us, because more chearfully sup-

ported by them. The present Ministry moreover,<sup>2</sup> being as averse to the acknowledgement of our Independence as was the last, we ought surely not to suffer our selves to be lulled into security by delusive & ill founded expectations, but to depend only upon God & our own swords for the establishment of that Peace & Security which our Enemies will never grant us until absolutely necessitated to do it. It is in our power with the blessing of heaven (which without proper exertions of our own we have no reason to expect) to drive them to this necessity. The most vigorous efforts on our part being therefore our indispensable duty the honorable house will I presume turn their earliest attention to the adopting some effectual mode for compleating our quota of troops in the service of the United States for which the present plan of recruiting is by experience found to be inadequate.<sup>3</sup> The Return of the State of the Jersey line here with transmitted will shew our deficiency.

Another matter of the utmost moment without which (should the war be protracted for any considerable time as it most probably will) we are a ruined people is to pass an effectual Law for preventing the clandestine trade that is carried on with the enemy. It is with the deepest concern that the most decided Whigs amongst us have seen so many laws enacted<sup>4</sup> against that ruinous commerce with so little effect in a great measure owing to the apparent inadequacy of some of those laws themselves for preventing the mischief. We are perhaps the only Nation in the World that has not made such intercourse with an Enemy in time of war and there is perhaps no offense against society more worthy of the last punishment than that of carrying on with them such a traffic as enabled them to support the war against us by promoting the sale of their manufactures by draining of our specie & by depriving us of many articles necessary for the support of our army or greatly enhancing their price. This punishment added to the seizure of all British manufactures agreeably to the recommendation of Congress of the second of January<sup>5</sup> last which is herewith laid before the house would doubtless give a check to that infamous most persistent practice.

LBC, MHi. Sedgwick Transcription.

1. On Feb. 27, 1782, Parliament passed a resolution denouncing all who wished to persist in the war as enemies of the king. However, there remained considerable opposition to granting America independence. Lord Shelburne, who assumed control of the peace negotiations, linked independence to a restoration of the territorial acquisitions achieved in North America under the Treaty of 1763, exclusive of the thirteen former

colonies. Shelburne also insisted the Americans pay reparations to Loyalists whose land had been confiscated. Thomas Grenville, the envoy of English foreign minister Charles James Fox, told French minister Vergennes that England would offer America independence only after a treaty had been signed between France and England. See WL to Robert Livingston, Apr. 22, 1782.

2. Actually Lord Rockingham, the new prime minister, favored direct negotiation with America as an independent state. He proposed a plan to evacuate British troops from occupied American cities and effect a six-month truce, but the plan was not implemented because of Shelburne's opposition. For the development of the power struggle within the British Parliament see WL to Robert Livingston, Apr. 22, 1782.

3. The assembly considered WL's letter on June 4 and agreed to urge recruiting officers to increase their efforts to fill the state's regiment. The house also requested that WL send the troops recently raised to defend New Jersey's frontiers to join Washington's army (*General Assembly* [May 15–June 24, 1782], 23).

4. For the most recent correspondence concerning the act to halt illegal trade see WL Proclamation, Oct. 9, 1781.

5. For the congressional resolution asking states to pass acts to seize British goods refer to *JCC*, 22:3.

### To Ezra Stiles

Trenton 24th May 1782

Dear Sir

I have received your Letter of the 1 of March<sup>1</sup> with the catalogue therewith transmitted at the instance of the reverend Mr. Spencer & the other papers that accompanied it. You will be pleased Sir to accept of my hearty acknowledgements for the agreeable present. I am very happy to find by the Catalogue that the College<sup>2</sup> has lately flourished much beyond what I had imagined. It is no small proof of the good sense of your Country men that they have always paid a particular attention to the cultivation of the Arts and Sciences which have been too much neglected in other parts of the Continent of the misfortune of which the present revolution has frequently afforded us the most striking proofs.

The two little poems have given me great pleasure. They abound with many strokes truly poetical and original and the young Gentleman whom the Muses have delighted to honour at so early a time of life will doubtless do them great honour as he advances in years.

I am much obliged to you Sir for the favourable opinion you are pleased to entertain of me respecting my agency in our Revolution. I claim very little merit in that glorious event besides honesty & indus-

try: the first which is the less meritorious as it is every man's duty & the latter entitled to a smaller degree of glory as being in every man's power.

Wishing you every personal blessing and the greater public success in promoting in your important affairs Religion & Literature. I am with great Esteem Reverend Sir

LC, MHi. Sedgwick Transcription.

1. Letter not found.
2. Stiles had been president of Yale College since 1778.

## Resolution <sup>1</sup>

House of Assembly, May 25, 1782.

WHEREAS the British court and ministry, after having in vain attempted to reduce the United States of America by force of arms to absolute and unconditional submission, have at last been obliged to acknowledge the utter impracticability of the enterprise; but not being willing to relinquish their purpose of subjugating these free and independent states to their dominion and tyranny, are now endeavouring to effect by craft and artifice what dear bought experience has convinced them they cannot achieve by military prowess.

And whereas in prosecution of their said system of art and subtilty, they are endeavouring to persuade the different courts in Europe, that the citizens of these states are neither united nor determined in the support of their national independence, to represent them as a divided people the greatest part of whom wish to return to their antient connections with England, to cast an odium upon the conduct of the court of France, by representing them rather as the support of a discontented faction than the generous ally of a brave and oppressed people, and to sow the seeds of dissention between His Most Christian Majesty and the United States of America, by endeavouring to render them mutually jealous of each other; and whereas by the arrival of Sir Guy Carleton in New-York as a commissioner for making peace or continuing the war in North-America,<sup>2</sup> the dissolution of the British ministry, the appointment of a new administration and the draught of a bill brought into the British parliament to enable their King to conclude a peace or truce with the United States<sup>3</sup> (by the description of the revolted colonies)

there is great reason to believe that the further prosecution of their said insidious system of dividing in order to destroy us, they will soon attempt to make overtures of pacification to each of the United States, and propose terms of peace inconsistent with our alliance with His Most Christian Majesty, and in derogation of our own sovereignty and independence.

In order therefore to counteract the said artifices of the enemy, and to evince to the whole world the most spirited determination of the legislature of this state, to receive or listen to no negociation whatsoever, that may be proposed by the court or ministry of Great-Britain, or by their commissioner or commissioners, or by any other person or persons whatever under their authority, except only thro' the intervention of Congress, and to manifest in the clearest manner our firm and unalterable attachment to the independence of this country, and our inviolable regard to the faith which we have pledged to each other and to our allies;

Resolved unanimously, That the legislature of this state is determined to exert the power of the state to enable Congress to support the national independence of America, and that whoever shall attempt to effect any pacification between these States and Great-Britain, expressing or implying the least subordination or dependance of these United States to or upon Great-Britain, or shall presume to make any separation, or partial convention, or agreement with the King of Great-Britain, or with any person or persons acting under the crown of Great-Britain, by that name or title forever, ought to be treated as a open and avowed enemy of the United States of America.

Resolved unanimously, That the delegates of the United States of America in Congress assembled, are vested with the exclusive authority to treat with the King of Great-Britain, or commissioners by him duly appointed, to negotiate a peace between the two countries.

Resolved unanimously, That altho' peace upon honourable terms is an object truly desirable, yet that war with all the calamities usually attending it, is incomparably preferable to national dishonour and vassalage, and that no event, however disastrous, ought to induce us to violate in the least degree our connection with our great and generous ally, and that no peace or truce can be made by these States with Great-Britain, consistent with good faith, gratitude & safety but in connection with, and by the consent of our great and good ally first had and obtained.

Resolved unanimously, That the legislature will maintain, support and defend the sovereignty and independence of this state with their lives and fortunes, and will exert the power thereof to enable congress to prosecute the war until Great-Britain shall renounce all claim of sovereignty over the United States, or any part thereof, and until their independence shall be formally or tacitly assured by a treaty with Great-Britain, France and the United States, which alone can terminate the war.

By order of the House,

JOHN MEHELM

Concurred in by Council unanimously, May 27, 1782

WIL. LIVINGSTON

*N. J. Gazette*, May 29, 1782.

1. The resolution was passed in response to WL's Message of May 17, 1782.

2. This analysis of British intentions is drawn from a circular from Congress to the governors. See Robert R. Livingston to WL, May 2, 1782.

Sir Guy Carleton was appointed peace commissioner, along with Adm. Robert Digby, on Mar. 25, 1782. Their mission, entrusted to them by Shelburne, was to inform Congress of the changed policies of the new Rockingham ministry and to effect an Anglo-American reconciliation. Shelburne also sent his secretary, Maurice Morgan, to New York to carry the appeals directly to Congress. Washington, at Congress's order, refused to give him a pass to Philadelphia (*JCC*, 22:263; Fitzpatrick, *Writings of Washington*, 24:241–42). For an example of Carleton's attempts at conciliation see Sir Guy Carleton to WL, May 7, 1782.

3. On Feb. 27, 1782, a resolution passed in Parliament declaring those attempting to continue the war in America to be enemies of the king. The resolution also allowed for an Enabling Act which authorized the king to negotiate peace with the colonies. The act was introduced on Mar. 5th, but did not pass until June 17, 1782. For more information on the British policy towards negotiations see Message to the Assembly, May 17, 1782.

### Instructions of the New Jersey Legislature to the New Jersey Delegates to the Continental Congress

May 31, 1782

To the honorable, Abraham Clark, William C. Houston, Elias Boudinot, Jonathan Elmer and John Witherspoon Esquires, representing the State of New Jersey in the Congress of the United States.

The Legislature having received satisfactory Information, that the Acts of Congress of the twenty fifth of May 1781 ordaining that Battalion Officers shall be promoted, to the rank of Brigadiers, only in certain

districts, have been repealed, and that in consequence thereof, several promotions have been made, without regard being had to such Establishments, conceive it expedient, as well in compliance with the application of Lieutenant Colonel Barber,<sup>1</sup> on behalf of the Brigade, as in Justice to the Merrit and Claim of the senior Officers, to Instruct you to use your utmost Endeavours with Congress to make the appointment of a Bragidier in this State.<sup>2</sup>

We beg you will be explicit on this head and conceive ourselves warranted in the Measure, both from the Benefits, which will accrue to the Troops of the State, by having a General Officer, as well to Command, as to represent them in the Councils of the Army, and the manifest vacancy which has existed for near two Years, When other States upon the same, or an Inferior Footing in point of the number of Troops, are honoured with one or more Brigadiers.

Council Chambers May 31st. 1782

By Order of the House

WIL: LIVINGSTON

House of Assembly May 31st 1782

By order of the House

JOHN MEHELM

DS, DNA:PCC, 68.

1. Francis Barber.

2. On May 9, 1782, Clark had moved that a brigadier be appointed for New Jersey troops. Congress considered the question of whether to appoint new brigadiers on June 5, 1782. Col. Elias Dayton was proposed as brigadier general for New Jersey, and promoted to the rank in December 1782 (*JCC*, 22:250–51, 318, 753–54, 791).

### To the Assembly

Trenton, 3rd June, 1782

GENTLEMEN,

I CONCEIVE it my Duty to the Publick to acquaint the Honorable House, that a Number of Persons disaffected to the Independence of *America* are constatnly flocking into this State from that of *New-York*, and that there is no Law in Force adequate to the Prevention of this Growing Evil.<sup>1</sup>

The pernicious Consequences that will result from conniving at this Influx of Malignants are too evident to require an Enumeration; among others however that will naturally occur to the House, I cannot forbear the following:

1st. Our receiving such unnatural Beings into our Bosom, is doing Injustice to the State from which they emigrate, and which has inflicted on many of them the Penalty of a double Tax for their Disaffection.

2nd. The Settlement of these People amongst us must be peculiarly injurious to the State at this Time by encreasing the Number of our own disaffected, which is already capable of great mischief, especially as those Intruders generally fix themselves near the Lines for the Opportunity, no Doubt, of doing us more extensive mischief by their intercourse with the Enemy, etc.

3rd. It is derogatory to the Honour and Dignity of this State to suffer such miscreants, as by their unnatural Combination against the Liberties of *America* have rendered themselves obnoxious to the respective States which gave them Birth, to take Sanctuary amongst us, and it must to the last Degree disgust our loyal Citizens to see this Government tamely permitting the Vagrants and Malignants of other States, who come with the Mark of Toryism as *Cain* did that of Murder, converting *New-Jersey* into another Land of *Nod*, and making it the shameful Asylum for every self-banished, self-convicted Traitor in the Union, who has the Impudence to take Shelter amongst us.

It seems therefore absolutely necessary to enact a Law, authorizing some Persons to send such present and future Inmates as their own proper Costs and Charges to the Place from whence they came, and to comprize in the same Law those who have fled from us to the Enemy, and who shall presume to return to this State, to which no Law now Extant is competent.

WIL. LIVINGSTON

*General Assembly*, 22.

1. For WL's disapproval of the settlement of Loyalists in New Jersey see WL to George Washington, Jan. 26, 1782. The legislature did not act directly on WL's message, but on June 24, 1782, in an attempt to control trade with Loyalists, it passed "An Act for preventing an Illicit Trade and Intercourse between the Subjects of This State and the Enemy" (*General Assembly* [May 15–June 24, 1782], 95–105).

## To Henry Brockholst Livingston

Trenton 7 June 1782

Dear Brock

I am persuaded that the Enemy will never deliver up Lippincot<sup>1</sup> to be executed for the murder of Huddy. In that case the death of the latter will undoubtedly be retaliated on Capt. Asgill.<sup>2</sup> This will probably lead the Enemy to execute an officer of ours to revenge the death of Asgill. The malice of the refugees against me, the attention of the British will very probably be directed towards you. In such case their demand of you as a Prisoner on parole [will] I conceive be refused without breach of honour from the great alter[ation] of them is since the time of giving it the difference of a requisition to come to death instead of returning to captivity.<sup>3</sup>

If this be so, they know it as well as we & will therefore have you seized by the refugees & probably concert that plan even before the execution of Asgill, & immediately on their formal resolution not to deliver up Lippincot. I would therefore have you leave Elizabethtown as soon as you receive this letter & come to Trenton. Do not mention the occasion of your leaving home to any person except Mamma & desire Billy<sup>4</sup> to be as cautious as possible against falling into their hands. It would be best for him also to retire from home till the Storm is blown over, for I apprehend that matters will be carried so far on the subject of retaliation (if Asgill is executed which cannot I think be avoided)<sup>5</sup> that neither party will confine itself to the rules usually observed in these cases. Pray set off without delay & if you cannot instantly get provided with a horse or a conveyance, do not lodge in the house after the receipt of this Letter but take a bed in the neighbourhood of Springfield.

LBC, MHi. Sedgwick Transcription.

1. For background regarding Washington's demand for the surrender of Capt. Richard Lippincott or a British officer of equivalent rank in retaliation for the murder of Joshua Huddy see Henry Brockholst Livingston to WL, May 3, 1782, and George Washington to WL, May 6, 1782.

2. After receiving an unsatisfactory reply to his demand from the British, Washington directed Brigadier General Moses Hazen to designate by lot "a British Captain who is an unconditional Prisoner." Hazen ignored this instruction and selected Captain Charles

Asgill, captured at the 1781 surrender of Yorktown and protected by the terms of capitulation signed there.

3. As a paroled prisoner of the British, Brockholst was a potential subject for revenge by the British, should Asgill be executed. WL's inference is that Brockholst would not be sacrificing his honor if he refused to return to what would be certain death. For Brockholst's parole see Sir Guy Carleton to WL, May 7, 1782.

4. William Livingston, Jr.

5. After months of negotiation, including French diplomatic intervention, Asgill was released by the Americans and returned to England. Refer to George Washington to Captain Charles Asgill, Nov. 13, 1782 (Fitzpatrick, *Writings of Washington*, 25:336–37).

## To the Assembly

Trenton, June 7, 1782.

GENTLEMEN,

FROM the Representations of many respectable Inhabitants of this State I have Reason to believe that Writs of Replevin to replevy Goods and Merchandize, seized and captured as illicitly imported from the Enemy's Lines are very frequently abused and perverted to the Purpose of facilitating that infamous Commerce, and prove a great Discouragement to the making of such Seizures;<sup>1</sup> the Chancellor,<sup>2</sup> as I conceive, cannot refuse to put the Great Seal<sup>3</sup> to any such Writ that is offered him, it not being in his Province to enquire into the Merits of the Cause, but every Citizen of the State having a Right to apply to him for that Purpose, it being a Writ issuable out of the Court over which he presides, and he officially obliged to seal it: But if an Act of Legislation can constitutionally be made, declaring that no Person in whose Possession any Goods, Wares or Merchandize shall be seized and captured as Effects illegally imported from the Enemy, shall be entitled to such Writ, with proper Provision to oblige the Captor to give sufficient Security to answer the Damages that shall be sustained by the Person in whose Possession the Goods are seized, in case they shall be finally acquitted; if such an Act, I say, should be passed, it would probably encourage such Seizures, and give an additional Check to that most pernicious and detestable Trade, the total Suppression of which is one of the most important Objects that can engage the Attention of the Legislature.

WIL. LIVINGSTON

*General Assembly*, 26.

1. For the most recent account of the seizure and trial of persons for illegal trading see WL to George Washington, May 14, 1782. The first treason act passed by the New Jersey Legislature in 1777 defined illegal trading as a treasonous offense. For the first court case under this act see Robert Morris to WL, June 14, 1777, and 1:352–55, n. 5.

2. For background on WL's role as chancellor and the establishment of chancery courts see WL to William Livingston, Jr., Jan. 19, 1781, and n. 1; Commission of Samuel Witham Stockton, May 12, 1781; and WL Proclamation, Sept. 25, 1781.

3. In October 1776 the legislature had passed a resolution authorizing the design of a great seal for New Jersey. See WL to the Assembly, May 10, 1777, 1:328–29, n. 1.

## To Peter Hopkins

Trenton 10 June 1782

Sir

I should immediately have answered your Letter of the 3d instant<sup>1</sup> but have been so hurried with business ever since that it was not in my power. It really appears astonishing to me that you should be at a loss to know whether you have spoken the words for which I have commenced the suit or not;<sup>2</sup> because as you certainly have spoken them. I think it altogether unaccountable that any man should use such words concerning another without a previous malicious disposition towards him which promoted him so to do & of such disposition of mind & the consequent effects of it, he can scarcely be ignorant. However as I did not commence the action against you either thro' personal resentment or to put you to costs, but for the vindication of my character and to oblige many of my friends who warmly solicited that step I have no objections against coming to such accomodations with you as shall be consistent with the duty I owe to my own character. But your Letter I conceive does not come up to what is requisite for that purpose. The Liberty you have taken with my reputation is almost universally known but your apology can only be communicated to a few. To the greatest part therefore it will not appear that you have ever made me any reparation at all. From this they may infer that I have discontinued the suit thro' a consciousness & to that purpose I am sure the Tories will improve it. The most favourable terms therefore that you can expect are that I shall be at liberty to insert your Letter or such other acknowledgement as shall be thought satisfactory in the public papers,<sup>3</sup> that your apology may travel as far as the cause of it. This with your paying the costs of suit I sup-

pose will satisfy my friends & for my part I am sure I bear no malice against you unprovoked & unmerited as the calumny was, tho' I think it my duty both to myself & the State which has reposed so great confidence in me, to vindicate my character against all injurious allegations & aspersions. I do not see that it will answer any valuable purpose for us to have a personal interview till after the matter is settled; but whenever a reconciliation takes place my way has always been to remember an injury no longer.

LBC, MHi. Sedgwick Transcription.

1. Letter not found.
2. It is not known what Hopkins, who was a Sussex County representative at this time, said about WL. Neither do surviving records indicate whether WL initiated a suit against Hopkins.
3. Letter not found in New Jersey newspapers.

### To George Washington

Trenton 10 June 1782

Dear Sir

Mr. Lot<sup>1</sup> informs me by Letter<sup>2</sup> that he had applied to your Excellency for a pass for himself and his son in Law Colonel Livingston<sup>3</sup> to go into the Enemy's lines. That your Excellency wish'd & was willing to grant it had it rested with you, but that he found by your information that "it rested with me." He farther adds that he was informed by your Excellency, "that the mode of applying for such passes is still the same as heretofore, & that altho' there is a change in place, yet that there is none in power." To this Colonel Livingston subjoins orally that your Excellency told them "that you had no objection to their going provided that I had none, but that without my consent, you would not grant it." I conceive that both these Gentlemen must have mistaken your Excellency's meaning; because I consider myself as having no concern with the Flaggs at Dobbs's Ferry,<sup>4</sup> nor authorized to give a pass to any person whatever to go into the Enemy's lines from that post. I am indeed authorized to give permissions to the Citizens of this State to go into those lines, by an Act of our Legislature; but that must be supposed to relate to those who are to go thither immediately from this State, (which I am happy to find is not totally inhibited) & not thro'

another in which I have no Jurisdiction. All that in such case, could be expected from me, would be to recommend the person, agreeably to a certain resolution of Congress as being of a fair political character, leaving the officer entirely at his option respecting his going. But to recommending them to go into the Enemy's lines upon private business (unless very peculiarly circumstanced indeed) I should wish to be entirely excused from it, from the many [abuses] that have been experienced from such paper, & the impossibility of knowing the real truth of such professions.<sup>5</sup>

Dr. Cockran<sup>6</sup> will probably have his application to [ . . . ] Legislature crown'd with success this day. He has been indefatigable in his solicitations; & I have the greatest reason to think has been kept attending with the utmost reluctance & the most eager desire of returning to Camp. But from the flattering hopes he daily received of the business [near?] its Loss, & the opinion of his friends of the necessity of his personal attendance to give it dispatch will the frequent transformations thro' which the bill for that purpose has passed, so to model it as to procure a majority are the causes to which I am persuaded his absence from camp hitherto is to be ascribed. With the greatest esteem I have the honour to be your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Abraham Lott.
2. Letter not found.
3. Probably William Smith Livingston.
4. All persons traveling with passes had to surrender them at Dobbs Ferry. See WL Proclamation, May 13, 1782.
5. For the most recent correspondence concerning passes see WL to Robert Livingston, Apr. 22, 1782.
6. Dr. John Cochran. The doctor was trying to obtain three medicine chests from Elizabethtown. Refer to John Cochran to WL, June 2, 1782 (*The Collector*, extract, Apr. 1957, 40).

### From Sir Guy Carleton

Head quarters New York June 12th 1782

Sir,

I have just been made acquainted that Timothy Scoby, taken Prisoner at Sandy Hook, and William Herbert, taken also Prisoner on the

Beach at the High Lands, Sandy Hook, have been tried in your Province for Treason by a Court held at Freehold in the County of Monmouth on the first Tuesday in the present Month, and are sentenced to dye on the fourth Day of July next.<sup>1</sup> I have been also informed, Sir, that about the 22nd of January last, John Smith Hetfield, who was employed to navigate a Boat to Elizabeth Town, having Flag Orders from Brigadier General Skinner,<sup>2</sup> and bearing a Letter from Sir Henry Clinton to Commissaries Skinner & Adams on public Service, and who with another Man who afterwards made his Escape, were permitted to stay at Elizabeth Town that Night, the Weather not admitting a Return, was on the morning, without any previous discharge or order to depart, arrested and carried to Westfield, and from thence, in Irons, to Burlington, where he has been ever since confined.<sup>3</sup> That likewise one Abner Badgeley,<sup>4</sup> who was at Elizabeth Town in another Flag Boat at the same Time, was also taken Prisoner, and that both these Men remain in that Condition, and under the Terrors of being tried for their Lives, and that one Campton is likewise confined and stands in the same Danger.

Upon this Subject, Sir, I wish to speak the Language of that Moderation and Candor, with which the Letter you have honored me, is marked. And yet whilst I consider that General Washington demanded, and justly demanded, from my Predecessor,<sup>5</sup> tho' in a manner not usual and which I cannot approve, his strictest Inquiry concerning the rash and unauthorized Execution of Huddy, an Inquiry which without his Demands, a Sense of Justice wou'd have produced, and whilst he holds in Arrest an innocent Officer<sup>6</sup> on this very Account, I cannot enough express my wonder, that Executions should be meditated, under any pretence of Prisoners taken in our Service, and two of them as it appears, under the Protection of a Flag.

The Letter, Sir, with which you honored me, dated the 13th of May last,<sup>7</sup> I received with the utmost Sensibility of the generous Sentiments it conveyed, and I am not without great hopes, that there is some Error or Misinformation as to the Cases I have Stated. Your Excellency among other just Observations, reprobates the Idea of Vengeance against those who embark in any Cause on the Ground of Conscience, and who think it their duty to persevere in it with unceasing Fidelity.—Putting all other Considerations out of the Question, and mixing as I perfectly do with your Excellency in this Sentiment, I will entertain the fullest Reliance on your taking such Measures as your own Prudence shall dic-

tate, to place these Men out of Danger, and that you will not suffer the Forms of local Law,<sup>8</sup> to violate general Principles or mingle private and mutual Revenges of any Sort, with the fair and liberal Customs of War, a State which, however it be my Profession, is, as between Britons, hateful to my Thought.

I shall expect the Honor of being informed of your Excellency's purposes on this subject. I am with the highest Regard Your Excellencys Most obedient and Most humble Servant.

GUY CARLETON

LS, NHi. Published in New-York Historical Society *Quarterly*, vol. 41, July 1957.

1. For Scoby's and Herbert's indictments, refer to Minutes of Monmouth County Court of Oyer and Terminer, June 4, 1782 (Nj). For an account of the capture of Hetfield and Lewis Blanchard see John Adam to WL, Jan. 28, 1782. For Blanchard's escape see WL to Susannah French Livingston, Feb. 1, 1782.

2. Brig. Gen. Cortlandt Skinner.

3. For capture of Hetfield see John Adam to WL, Jan. 28, 1782.

4. For discussion of Hetfield and Badgely see David Brearley to WL, May 13, 1782.

5. For Washington's demands regarding the Huddy incident see George Washington to Sir Henry Clinton, Apr. 21, 1782 (Fitzpatrick, *Writings of Washington*, 24:146-47).

6. Capt. Charles Asgill.

7. See WL to Sir Guy Carleton, May 13, 1782.

8. The British considered the seizure of Hetfield and Badgely as infringements on the international rules of war, in this case the courtesies accorded flags-of-truce. WL insisted they were traitors. See David Brearley to WL, May 13, 1782.

## Proclamation

[Trenton, June 12, 1782]

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 Baker Hendricks,<sup>1</sup> of the county of Essex, in this state, did, on or about the nineteenth day of September, in the year of our Lord One Thousand Seven Hundred and Eighty, receive a commission granted by the United States in Congress assembled (and delivered to him by the executive of this state) licensing and authorizing him the

said Baker Hendricks to fit out and set forth in warlike manner two armed whale-boats, respectively called the Flying Squirrel and Charming Betsey, as private vessels of war, to cruise against the enemy:<sup>2</sup>

AND whereas the United States in Congress assembled did, on the twenty-first day of May last,<sup>3</sup> resolve, “that the executives of the several states should be, and were, by the said resolution, authorized, on information of illegal intercourse which had taken or should take place between the Captains of any private armed vessels belonging to these states, and the enemy, or of any other malconduct, to suspend the commission of such Captains until the executive shall have examined into the offence; and if upon enquiry it shall appear that the information is well founded, they are requested to report their proceedings to the United States in Congress assembled, in which case the commission shall stand suspended until Congress shall have taken order thereon,” as by the said resolution, reference being thereunto had, may appear:

AND whereas I have received information that an illegal intercourse has taken place between the said Baker Hendricks and the enemy under colour of the said commission, and of other his mal-conduct in quality of Captain and Commander of the said whale-boats, and of other boats of which he has assumed the command under colour of the said commission: I do therefore, by virtue of the said recited resolution, hereby suspend the said commission; and the said Baker Hendricks, is hereby strictly inhibited from acting in virtue or under pretext of the same, as he will answer the contrary at his peril. And all officers and troops on the frontiers of this state, and others whom it may concern, are hereby directed and required to consider the said commission as suspended, and henceforth unauthoritative, until the Congress shall take farther and other order in the premises, and to govern themselves accordingly.

Given under my hand and seal at arms, at Trenton, the 12th day of June, in the year of our Lord One Thousand Seven Hundred and Eighty-two.

WIL. LIVINGSTON

*N.J. Gazette*, June 19, 1782.

1. Hendricks, on occasion employed as an American spy, was nevertheless suspected of trading with the enemy. See WL to George Washington, Jan. 26, 1778, 2:193–95.

2. For background on the act governing privateers see Instructions to Privateers, June 27, 1781.

3. Refer to *JCC*, 22:280–81.

## To the Assembly

Trenton, June 18, 1782

GENTLEMEN,

MY not having received any Answer to my Message respecting the last Year's Salary, transmitted to the Honourable House at their last Sitting,<sup>1</sup> I readily ascribe to the Multiplicity and greater Importance of their other Business.

I would now wish to call their Attention to that Object, and to remind them, that in that Message I informed them that I had expressly undertaken the Administration of the Government the last Year, on Condition that the Legislature should make good the Salary, whatever it might be, that I might no longer suffer from the Depreciation of the Paper Currency, for which, as to my former Losses, I desired no Compensation, and that the *Thousand Pounds* which that same Legislature had voted me, had by the Loss of the Interest on the Bills and the Depreciation, not amounted to more than *Three Hundred Pounds*

I would not be understood to mean to have that Sum made up to a *Thousand Pounds*, but that it should be made equal to the present Year's Salary,<sup>2</sup> is, I think, so evidently just and reasonable, that, I doubt not, the Honorable House will make no Hesitation about it.

WIL LIVINGSTON

*General Assembly* (May 15–June 24, 1782), 37–38.

1. See WL to John Mehelm, Nov. 21 and Nov. 23, 1781.
2. In the November 21 letter to Mehelm, WL noted he was receiving £650 a year.

## From George Washington

*Headquarters, June 18, 1782.* Has told Mr. Lott and Col. Livingston he does not issue passports unless permission has first been obtained from the governor.<sup>1</sup> He stresses that it is not his intention to intrude upon civil authority. He urges WL to decide whether or not to issue passes to Lott and Livingston.

ALS, PPAmp.

1. See WL to George Washington, June 10, 1782.

## To George Washington

Trenton 18 June 1782

Sir

This morning two American captains of Vessels who had been captured by the Enemy & carried into New York came to this Town in the Stage waggon. They shewed me their paroles and informed me that they landed at Elizabeth Town & were suffered to pass on by Captain Dayton.<sup>1</sup> They arrived on the Jersey shore not in a flagg but in a private boat. As I do not know what private orders Capt. Dayton may have from your Excellency for the care of Prisoners, I suffered them to pass on to their respective places of abode, which are Pennsylvania & Maryland, instead of sending them to Staten Island in order to return by Dobbs's Ferry, as I have served several others who have come into this State immediately from the Enemy's lines.

If your Excellency thinks proper to communicate it, the better to enable me to assist you in carrying into Execution your Orders respecting the Post at Dobbs's Ferry, which I think of the utmost importance. I should be glad to know whether the officers at Elizabeth Town have any and what private orders to dispense with them on particular occasions.<sup>2</sup>

The reports against that Post, relat[ing?] a more serious matter are very common, but how well founded I know not. I have the honour to be with the greatest Esteem Your Excellency's most humble & most obedient servant.

WIL: LIVINGSTON

ALS, DLC:GW.

1. On May 21, 1782, George Washington told Capt. Jonathan Dayton that he was not to send or receive people travelling under flags of truce at Elizabethtown and all persons coming from British lines were to be taken prisoner (Fitzpatrick, *Writings of Washington*, 24:270–71).

2. On June 24, 1782, Washington informed WL that he had instructed Col. Elias Dayton that all persons travelling under flags of truce were to be sent to Dobbs Ferry (Fitzpatrick, *Writings of Washington*, 24:376,380). Refer to George Washington to WL, June 24, 1782, DLC:GW.

## From Elias Boudinot

Philadelphia June 19, 1782

Dear Sir

In this dearth of European News, I doubt not the Contents of a private Letter from J.A. in Amsterdam of the 11th Aprill will be agreeable, altho' it is not made public here.<sup>1</sup> "The rapid revolution in the Minds of this Nation, and the unaccountable Ardour & unanimity, which has at last seized upon them, for connecting themselves with America, have occasioned me so many Visits to receive & return, and so many Complimentary Letters to answer, as added to other more important affairs, have been more than I could perform. Five Provinces, Friesland, Holland, Zealand Overijssel & Utrecht, have already decided with an unanimity that is astonishing; and the two others Guilderland and Groningen it is supposed will determine as soon as they meet, which will be the 16th Current so that I suppose we shall have one ally more in a short time."<sup>2</sup> By another Letter, this short time is affixed at the first of May.

I wrote your Excellency by last post, enclosing the Minister's answer to the address of the Legislature, which I hope got safe to hand.<sup>3</sup>

I enclose (least it should be forgot) the account of the Messenger I sent to your Excellency with the News of the Pennsylvania Troops revolt, which the Man is frequently pressing me for.<sup>4</sup> I have the honor to be with Great Esteem Your Excellency Most Obedient & Humble Servant

ELIAS BOUDINOT

ALS, NjP.

1. From John Adams. Letter not found.
2. Adams's letter dealt with the recognition of the United States by the Dutch Republic. See Jacob Diriks to WL, Apr. 29, 1782.
3. The letter and enclosure have not been found. Boudinot is referring to the reply of the French minister, Chevalier de la Luzerne, to the New Jersey Legislature for their congratulatory message to the French king on the birth of the dauphin. See WL's Message to the Assembly, May 20, 1782 (*General Assembly* [May 15–June 24, 1782], 7, 10, 21, 33; *Legislative Council* [May 15–Oct. 5, 1782], 4, 12).
4. The revolt of the Pennsylvania line occurred in January 1781. See James Burnside to WL, Jan. 11, 1781.

From the Court of Oyer and Terminer and General Gaol  
Delivery for Monmouth County

June 20, 1782

To His Excellency William Livingston, Esq., Governor of the State of New Jersey, and the Honorable the Council of the same—

The Court of Oyer & Terminer & General Goal Delivery for the County of Monmouth, beg leave to represent, that at a Session of the said Court held at Freehold the 5th June 1782 the following Persons were capitally Convicted, viz. Richard Phillips & Negro Jacob<sup>1</sup> for Murder, William Harbert & Timothy Scobey for High Treason.<sup>2</sup> The two last, viz. William Harbert & Timothy Scobey the said Court recommend to your Excellency & Honors as proper Objects of Mercy, and pray that they may be pardon'd accordingly.

ISAAC SMITH  
WM SERVISS  
DANIEL DINISE  
DAVID FORMAN  
RICHARD COX  
PETER FORMAN

LS, Nj.

1. For Jacob, a runaway slave owned by James Talman of Gloucester County, refer to James Talman to WL, June 9, 1781 (NN).

2. See Sir Guy Carleton to WL, June 12, 1782, for discussion of Scoby and Herbert.

From John Bray

Raritan Landing 24th June 1782

Sir

At Capt. Hyler's request I now address you. He has got another Privatier Boat which was lately Captured by Capt. I. Quigley & Condemn'd at the Inferior Court of Admiralty.<sup>1</sup> She mounts Five Carriage Guns & four Swivels, is called the *Active*, about 14 or 15 Tonns Burthen & Navigated by Twenty five Men. Owners are the same as to the other Boat. Capt. Hyler is of opinion you'll be so obliging as to include by

Interlineation or otherwise the aforesaid Boat in the Commission for the *Revenge* which I herewith send. If it be not agreeable to order He begs you'll favour him with a seperate Commission for the same. Several Boats are fitting out from N. Brunswick for the purpose of Privatiering but I fear if your Excellency grants them Commissions that many ill reports will prevail against Capt. Hyler which he will be very innocent off; I know it's Customary for Person's obtaining Commissions to give Bonds with Security for their good behaviour.<sup>2</sup> I hope as it's out of Capt. Hyler's power to wait on you at present that you'll not refuse him a Commission on that Account. I will be his security & will enter into Bonds with him the first time we come to Town. Am Your Excellency's most Obedient Humble Servant.

JOHN BRAY

NB. Mr. Gibbon will wait on your Excellency with this by whom hope to receive a Commission for the *Active* otherwise she must be left in Port which would be very injurious as Capt. Hyler wants to Sail in a day or Two.<sup>3</sup>

LS, NH*i*.

1. Thomas Quigley, the captain of the American privateer *Lively*, captured the British brigantine *Betsy* on May 23, 1782. For an account of the incident refer to *NJA*, 2d ser., 5:543.

2. WL was reluctant to grant commissions to suspect individuals. See WL to Azel Roc, Apr. 22, 1782.

3. For Hyler's exploits as a privateer see John Bray to WL, Apr. 24, 1782.

### To George Washington

Trenton 24 June 1782

Dear Sir

I have been honored with your Excellency's Letter of the 10th Instant<sup>1</sup> apologizing for your opening a Letter from Guy Carleton to me<sup>2</sup> which was put into your hands with other Letters. The like has several times happened to me since the war respecting the Letters of other Gentlemen & I have made the like apology. As to the letter in question I only wish that your Excellency had not discovered your mistake until you had perused it to the End because you would thereby have been convinced that altho' Sir Guy is to act upon a very different plan from

that of his predecessors there is in reality no great difference between the Genius of the Knight in & the Knight out of Command.

Your Excellency's politeness has conferred upon me by your Letter of the 18th Instant greater authority respecting passports than I could wish to have.<sup>3</sup> I was in hopes that as the only place from which flags are now established to pass from us to the Enemy was in the State of New York to which the Act of our own Legislature authorizing the Executive of this State to grant permissions for our Citizens to pass & repass was not entered, I should have been able to plead my want of authority to grant passports for passing from & coming into another State convinced as I am that not one in twenty of those who apply for that purpose ought to be indulged in their request. I shall therefore further confine myself to the resolution of Congress of the 21 August 1778<sup>4</sup> which is barely to recommend as to the character & motives of the applicant leaving the matter after all to the discretion of the officer commanding at the Post to forward them or not as the Situation of affairs & the military affairs may at particular junctures render such intercourse either harmless or injurious to the public.

It gives me great pain to be obliged to inform your Excellency that our Legislature which rose yesterday, has taken no new measure for completing our quota of Troops in the service of the United States, but have contented themselves with directing the State Regiment on the Lines to be ordered to join the army when necessary & to continue in the Service till the expiration of the term for which they inlisted in the service of the State.<sup>5</sup> The Act passed this sitting for preventing the trade with the Enemy<sup>6</sup> is doubtless more vigorous & efficacious than any of our Laws hitherto enacted to check that destructive commerce, but I am persuaded from the incredible extent of that execrable practice & the more operative influence of private lucre than public spirit that the Magistrate will be incompetent to carry it into execution. I think that associations & Committees for the express purpose of executing the Law on this subject will be much more effective & such associations therefore I shall make it my business to propose & encourage. The enclosed (which I beg the favour of your Excellency to take some opportunity to forward) is in answer to a letter from General Carleton<sup>7</sup> on the subject of the capture & detention of Hatfield and Budgely who came in a flag & of which I have already done myself the honour to transmit to your Excellency a particular account which I presumed was required

of me with intent to answer the inquiries of the Enemy on that subject; & I cannot but think that they ought for an explanation of whatever relates to such persons as they claim to be their subjects & who are confined by us, to have recourse to your Excellency who will naturally if such persons are detained by the civil Law of this State cause an Inquiry with the matter by an application to the executive. This I say is the Channel thro which Sir Guy ought to correspond on those Subjects of which I have taken the Liberty to give him a hint.

LBC, MHi. Sedgwick Transcription.

1. Letter not found.
2. Letter not found.
3. See George Washington to WL, June 18, 1782.
4. See *JCC*, 11:825.
5. See WL Message to Assembly, May 17, 1782, n. 3, for the assembly's recommendations.
6. On June 24, 1782, the assembly passed "An Act for preventing an illicit Trade and Intercourse between the Subjects of this State and the Enemy." The act set a fine of £1,000 or corporal punishment not extending to life or limb if convicted of a first offense and the forfeiture of all real and personal property for second offenders. A person found in possession of illegal goods was to be fined the value of the merchandise after it had been seized and condemned. See WL to the Assembly, June 3, 1782, and WL to the Assembly, June 7, 1782 (*General Assembly*, 26).
7. See Sir Guy Carleton to WL, June 12, 1782.

### To Sir Guy Carleton

Trenton 25th. June 1782

Sir

I have received your Excellency's Letter of the 12th Instant.<sup>1</sup>

Timothy Scoby & William Herbert concerning whom your Excellency enquires, are both Subjects of this State; and for committing High Treason against it, by joining the Enemy in waging War against it & other treasonable Practices, were convicted & condemned as your Excellency has been informed.

They were both pardoned before I received your Excellency's Letter, from the meer unsolicited mercifull disposition of this Government, which hoped that the Execution of two other Criminals condemned at the same Court & since executed, would prove a sufficient example, which is one of the principle reasons for punishing offenders.<sup>2</sup>

The case of Hetfield & Badgely, I have fully represented to His Ex-

cellency General Washington, who applied to me on that subject in consequence of an application made to him by the British Commander at New York,<sup>3</sup> & which, I suppose, has before now been transmitted to your Excellency.<sup>4</sup>

Indeed I should think that the Commander in Chief of our Army is the proper person to be applied to respecting our treatment of any Persons claimed by the English as being in their Service, & supposed to be improperly treated by us; and if such Person is detained by the Civil Authority of this State, His Excellency will of course apply to the Executive, which with the greatest alacrity, will furnish him with the reasons of the Capture & detention of such Prisoner, & always pay the most sacred regard to the Law of Nations on that head.<sup>5</sup> And I make not the least doubt that when your Excellency shall be informed of the case of Hetfield & Badgeley, you will be astonished that any of your Predecessors should have suffered any of those, who with you are called Loyalists, so egregiously to abuse the known & established use of Flags of Truce as those two Men have done.

The case of Compton<sup>6</sup> (our Judges being on the Circuits) I am not able at present to give your Excellency. I have however reason to think that he is proceeded against for Treason against this State, & that he cannot by the Law of Nations be considered as a subject of Great Britain, and that if he really was so, he would deserve to suffer as a Spy, for coming among us, as I am told he frequently has from your Lines, in a secret manner, & for the purpose of gaining intelligence, & committing Robberies.

There are Sir, among us a Number of Men, who from indolence of disposition & dissoluteness of morals, preferring plunder to labor, & hoping to allude the Laws of their Country by acting or pretending to act under the authority of the Board of Directors, will for a while quit this State, & then return into it, and that frequently after having previously forfeited their Lives by our Laws, & then commit new Felonies under that imaginary sanction, expecting it seems not only to escape Punishment for the Crimes they are committing under their newly assumed Character, but even to plead that character as an obliteration of their former offences committed at a time when they are indisputably amenable to our Laws. These Sir are not the Men I mean to comprehend in my discription, when "I reprobate the Idea of vengeance against those who embark in any Cause on the ground of Conscience, and who think it their duty to persevere in it with unceasing fidelity."<sup>7</sup>

And how far Sir, the screening & the commissioning of such Banditti by the Board of Directors redounds to the honor of Britain, I leave to your Excellency's sense of National Glory to determine.

Your Excellency is pleased to say that you "will entertain the fullest reliance on my taking such measures as my own prudence shall dictate to place those men out of danger, & that I will not suffer the forms of local Law to violate general Principles, or mingle private or mutual revenge with the fair & liberal Customs of War, a state which however it be your Profession, is as between Britons, hatefull to your thoughts."

How strongly soever Sir, I may be inclined to put those Men out of Danger; & whenever it appears consistant with the public safety & my duty to my Country, I can assure your Excellency, that mostly strongly inclined I am to the side of Clemency & Mercy, yet your Excellency cannot be uninformed that the Executive of this State hath no authority to discharge any Prisoners from the custody of the Law, & that all municipal Laws (whatever private sentimental attachments we may have to general principles) are so local, as to punish those who transgress them within the verge of their operation or topical extent.

As to any "War, Sir, between the Britons" Your Excellency will pardon me for not being able precisely to comprehend your meaning. If such an unfortunate event has really taken place between any different Bodies of British Subjects, I am free to own that tho' an Enemy, I should not rejoice at it; as I sincerely wish for the sake of the general repose of Europe, that Great Britain may suffer no greater diminution of her weight in the political Balance, than she is like to do by her War with America, and those other powers which she has already by that fatal step drawn upon her, without the additional Calamity of any intestine commotions or Civil broils of her own. But if your Excellency means the War between Great Britain & America, and consequently intends to compliment us with the title of Britons, I can only say, and I wish not to give any offence by saying it, that there was indeed a Time when we gloried in that Appellation, but that from the most unprovoked oppressions we shall to all human appearance, instead of the least ambition to reassume, be content to all future Ages & Generations, with that of Americans. I am with the greatest Regard Your Excellency etc. etc.

Lcy, DNA:PCC 78, VI.

1. See Sir Guy Carleton to WL, June 12, 1782, and refer to Court of Oyer and Terminer, June 20, 1782 (Nj).

2. Scoby and Herbert were pardoned by the Privy Council on June 20, 1782 (*NJA* [Privy Council], 1:224).
3. See George Washington to WL, May 6, 1782, and refer to Sir Guy Carleton to George Washington, June 20, 1782 (DNA:PCC, 152, x).
4. Washington wrote to Carleton on June 10 enclosing a copy of Chief Justice David Brearley's letter to WL (Fitzpatrick, *Writings of Washington*, 24:324–25). See David Brearley to WL, May 13, 1782.
5. On June 22, 1782, Washington informed Carleton that he could not “say any thing further on the Subject” of Hetfield and Badgely because they were “entirely in the Hands of the Civil power” (Fitzpatrick, *Writings of Washington*, 24:372–73).
6. Probably Morris County Loyalist James Compton.
7. See Sir Guy Carleton to WL, June 12, 1782.

### To John Hanson

Trenton 11 July 1782  
10 oClock P.M.

Sir

Being informed about nine oClock that the Post was not arrived at this place, tho' the Stage waggon had seen him this morning at Bristol on his way hither, & thence apprehending that he had either been intercepted by persons employed for that purpose by the Enemy, or had met with some other Accident, I prevailed upon the Postmaster here to send a man in conjunction with my Express as far as Bristol to procure intelligence concerning him. They just now return with him; & it appears that he was robbed of the mail by four men about two miles from this village. They carried him into a Swamp, & returned him his money, telling him that they only wanted the mail, & they could & would take that whenever they pleased. As the dispatches he had from Congress may be of such importance<sup>1</sup> that no time is to be lost in reporting that I think it my duty to my Country to give them the earliest information of this disagreeable disaster; & if one might venture to obtrude his private opinion upon so august an Assembly, it would rather appear adviseable not to trust dispatches of [ . . . ] by the Post. Occasional expresses would not be suspected by persons employed to intercept the mail. With the greatest attachment & highest respect I have the honour to be your Excellencys most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68

1. Congress at this time had under discussion a loan from the United Provinces (*JCC*, 22:374–76).

From John Covenhoven, David Forman,  
and Thomas Henderson<sup>1</sup>

Freehold July 20th 1782

Sir,

At the last Sitting of the Legislature a Law was passed, empowering your Excellency to procure Money by Loan to answer the Exigencies of the State,<sup>2</sup> and as there never was a Time, in our Opinion of greater Want, than the present, we think it the Duty of every one that has a Prospect of being able to assist your Excellency in a Measure that will be of so great utility to the public to offer his Service. We are of Opinion that Money may be got, [ . . . ]d that in considerable quantity from within the Enemy Lines, (more especially if there should be any Apprehensions of an Invasion of their Garrison) and will undertake the Business, (or at least make the Attempt) provided the Plan meets your Excellency's Approbation.<sup>3</sup> The Way in which we propose to procure it is, first to obtain from your Excellency Separate blank Permissions for five or six Persons to go within the Enemies Lines, the Reason of wanting blank Passports, is, that such Persons as have been consulted on the Occasion look on it as a hazardous Business and will not further more than one of us to be privy to it. The Reason of proposing several separate Permissions is that much Cash cannot be brought out at a Time without Suspicion, that if there should be Encouragement the Person or Persons employed may go in more than once.<sup>4</sup> Second we propose fixing on such Persons of Property and Reputation as will be able to obtain Security for whatever Sums they may procure within the Enemies Lines and such as can have free access amongst them without Suspicion. Third, we propose and expect it will be necessary to become Security ourselves and to get a number of other Persons of Property to join us for the indemnity of those Persons who may be employed.

If the Measure appears to your Excellency consistent we beg to have the Passports together with your Excellency's Power of Agency to pro-

ecure the Money by the first Opportunity, and are with the greatest Respect Your Excellency's Obedient Humble Servants<sup>5</sup>

JOHN COVENHOVEN

DAVID FORMAN

THO: HENDERSON

LS, PWacD.

1. All three men were from Freehold in Monmouth County. Both Covenhoven and Henderson were members of the legislature.

2. "An Act to procure Money by Loans" was passed June 24, 1782. This act empowered the governor to borrow with the advice and consent of two council members. The act was in effect for one year only (*Acts* [May 27–June 24, 1782], 110–11).

3. Their plan was to increase New Jersey's supply of specie by illegally borrowing hard money from individuals in New York City. After selling bills of exchange to Philadelphia merchant Henry Hill, superintendent of finance Robert Morris authorized Hill to use similar methods to acquire British specie in New York City. Refer to Ferguson, *Papers of Robert Morris*, 5:146, 6:181–82 and n. 2.

4. WL was reluctant to grant passes for business purposes. See WL to George Washington, June 10, 1782, and WL to Thomas Henderson, John Covenhoven, and Thomas Scabrook, Jan. 18, 1782.

5. WL's response not found.

### From Henry Brockholst Livingston

Philadelphia 20 July 1782

My dear Sir,

I expected fully to have had the pleasure of being with you by this time, but as I find it a more difficult matter to collect a few debts than I at first imagined, I do not think I shall be in Trenton before the middle of the ensuing week.<sup>1</sup> By that time I am promised forty guineas, & have also some faint hope of getting a little money on my account against the public.<sup>2</sup>

Mr. Livingston<sup>3</sup> will tell you what has passed between him & myself respecting my future views. There is not the smallest prospect of my being soon exchanged. Therefore I must lay aside all thoughts of continuing in a political line which would at best afford me but a scanty maintenance for the present & perhaps subject me to perpetual dependence on the public, a situation not very agreeable for any person. I therefore propose, if you approve of it to lose not a minutes time in be-

taking myself to the study of the Law. For this purpose I think it will be best to go into some office at Pokeepsie or Albany. Unless a person studies in the State of N York, he cannot practice there, & at either of those places I shall be perfectly removed from every kind of avocation which elsewhere might interrupt me. Mr. Livingston thinks it the best thing I can do. If You approve of it I wish to hear from You on the subject before I leave this city. Perhaps Mr. Yates<sup>4</sup> or Mr. Benson<sup>5</sup> would take a Bond for their fee & I do not imagine that Boarding at either of those places would be very expensive.

I have been obliged to write this in the greatest haste as I did not know until this moment of Mr. Livingston's intention to leave town. You may rely on my being with You the soonest possible, for I am already heartily tired of this city & but for the consideration already mentioned should not have staid here half so long. I am dear Sir Your affectionate Son

HARRY B. LIVINGSTON

LS, NHi.

1. Brockholst had been captured at sea while returning from Spain and released on parole. During his stopover at Philadelphia, Brockholst stayed with Gouverneur Morris.

2. Brockholst is referring to his back pay for service as a colonel in the Continental army. He had not been paid for some time prior to his departure to Spain (*JCC*, 26:176, 362–63).

3. Perhaps secretary for foreign affairs Robert R. Livingston.

4. Peter Yates.

5. Egbert Benson.

# *The Peace of Paris*

*July 21, 1782–April 16, 1783*

*In June 1781 the Continental Congress commissioned Benjamin Franklin, John Jay, and Henry Laurens as co-negotiators at the Paris peace talks. They were to join John Adams, who had been appointed in the fall of 1779 to negotiate peace and a treaty of commerce with Great Britain. The United States, pressured by its French allies, hoped that the new delegates would temper the impact of the inflexible Adams, who was wary of France's motives in aiding the new nation. Congress instructed the commissioners to be governed by the French and not to take any independent action.*

*Both Adams and Laurens were absent for most of the Paris talks and the bulk of the negotiations were handled by Franklin and Jay. The two men, even without the presence of Adams, quickly recognized that France's goals were to strike a blow at the British empire and to regain their own empire in North America, rather than furthering the national aspirations of the United States.*

*France and America had agreed that their negotiations with the British would be separate to ensure that American independence would not be used as a bargaining tool by the British. Ironically, the separate peace conferences helped to clarify the true nature of France's imperialist motives in aiding the United States. This became clear after the French foreign minister the Comte de Vergennes refused to support American claims against France's ally Spain for lands extending west to the Mississippi River. France also refused to support America's demand that English recognition of American independence be a precondition of a treaty. France's stand convinced Jay that France sought only to protect its own interests. He consequently determined to ignore Congress's instructions and rely on his own judgment and that of Franklin.*

*Jay, while scrupulously observing America's 1778 commitments to France as stipulated in the Treaty of Alliance, informed the British that recognition of*

*American independence would cause the Americans to block the New World territorial demands of France and Spain. Jay's strategy paid off. English prime minister Lord Shelburne, who sought to establish a profitable commercial relationship with America and to weaken the power of those European nations who opposed Britain, agreed to recognize American independence prior to the peace negotiations. At the suggestion of John Jay, the British representative at Paris was recommissioned to negotiate with commissioners vested with equal powers by and on the part of the thirteen United States of America. The British government also agreed to evacuate British troops from American territories, while Canadian territory would be confined to those boundaries stipulated under the Royal Proclamation of 1763.*

*In Paris the British and American peacemakers in their separate negotiations concentrated on Britain's territorial ambitions in North America. Since France had supported Spanish claims to the eastern banks of the Mississippi, the Americans urged the British to seize West Florida from the Spanish. A secret article in the preliminary treaty between Great Britain and America stipulated that should Britain recover West Florida from the Spanish, the northern border of that province would be moved three degrees north to the thirty-fourth parallel. The Americans also suggested that Britain and the United States share jointly navigation rights to the Mississippi.*

*Jay's determination to protect America's interests was reinforced in late October 1782 by John Adams's arrival in Paris. The efforts of the two men to further Anglo-American relations at the expense of the French and Spanish reflected the increasing divergence of interests between France and the United States. France adamantly opposed American territorial expansion, whether to the west or to the north. Vergennes made it clear during negotiations with the British that he wanted only to protect France's national interests. France also opposed Britain's permitting America access to the Newfoundland fishing banks. After the signing of the Anglo-American preliminary treaty of Nov. 30, 1782, which guaranteed Americans this right, Vergennes insisted on inserting a clause into the Anglo-French preliminary treaty to protect French fishermen from Americans.*

*Whatever motivated France to assist the United States during the Revolution, most Americans realized that they could not have won without French aid. The preliminary treaty was signed on Jan. 21, 1783, and word sent to the Continental Congress in Philadelphia. Early news of the treaty was sent to New Jersey Mar. 20, 1783. On Apr. 16, 1783, Gov. William Livingston ordered the news to be carried to the people in the hinterlands. After seven years the war was over in New Jersey.*

## From Sir Guy Carleton

New York July 21st. 1782

Sir,

I am just informed that Ezekiel Tilton, returning last Week from the Banks without Sandy Hook, where he had been fishing, was taken by an Armed Whale Boat belonging to the Province of New Jersey, and carried to Monmouth Gaol where he was confined loaded with Irons and suffering Hardships which greatly endanger his Life, that he is considered to be in the Condition of what is called in Jersey a State Prisoner, and threatened as such with more certain Death.<sup>1</sup>

I hereby demand, Sir, that this Man shall be placed in the Condition of a Prisoner of War only, and treated with that Lenity with which Prisoners of War ought to be treated.

I have already written to your Excellency on a similar Occasion, and am now to acknowledge your Letter of the 25th of June 1782.<sup>2</sup> From all Comment on this letter, however extraordinary it appears, I will at present abstain. After all, I cannot think your Excellency means deliberately to violate the Laws of War, nor excite a Spirit of Resentment in the Minds of the Loyalists and provoke them to acts of Revenge, which arrived at a certain Height, will no longer remain in your Power, nor mine, to prevent, and this at a Time when all Hostilities stand suspended on my part. I am, Sir, Your Excellency's Most obedient and Most humble Servant

GUY CARLETON

ALS, NHi. Published in *New-York Historical Society Quarterly*, vol. 41, July 1957.

1. Tilton, a New Jersey resident, was charged with treason when he took up the British cause in the spring of 1777. He was tried by civil law under New Jersey's "Act to Punish Traitors and disaffected Persons," passed Oct. 4, 1776. For exchange policies gov-

erning military and civil prisoners see WL to George Washington, Dec. 15, 1780. For the development of a continental prisoner exchange policy see Abraham Skinner to WL, June 5, 1780, vol. 3:416.

2. See Sir Guy Carleton to WL, June 12, 1782, and WL to Sir Guy Carleton, June 25, 1782.

## To Monsieur de Marbois

Trenton 26 July 1782

Sir

I now do myself the pleasure of solving the Queries inclosed in your Letter of the 11th of June & which divers unavoidable impediments have prevented me from doing sooner.<sup>1</sup>

New Jersey being situated between the Rivers Delaware & Hudson, & in the vicinity of the two great trading cities of New York & Philadelphia has but little foreign trade of its own, the produce of the Country which consisted chiefly in wheat, Flour, Indian Corn, Beef, Pork, Flaxseed, Lumber & Iron being generally sent to one or other of those places & our Merchants there supplied with European & west India goods for the consumption of the Country. There were however generally one or two Brigs kept in trade from Amboy, two or three more from Elizabeth Town, one or two from Brunswick & one or two from Woodbridge & for a few years before the war the spirit of foreign commerce seemed to be increasing. Those vessels went chiefly to the French & English west Indies with some of the articles before mentioned & brought from thence the produce of those islands giving the preference (*ritu mercatorium*)<sup>2</sup> to those where the best prices could be procured. Two or three vessels in a year went to Madeira<sup>3</sup> with wheat flower & lumber & thence imported the wines of that Island. But the imports of New Jersey before the war consisted principally of Lumber such as pine & cedar boards, staves & scantling with a few cargoes of wheat annually for which it received in return wines from the Islands of Madeira & Tenerif,<sup>4</sup> & Sugar molasses coffee, brandy & rum from the West Indies. Latterly the chief trade of the State has been carried on from little Egg harbour being by much the most convenient for the lumber business as well as for ship building. It is very probable that in future the trade of this State will be to such foreign countries or places as will be found to be the best markets for its produce especially its

grand articles wheat & Flour & those in Europe which most probably will receive the greatest part of it, are the Ports of France on the western ocean & in the Mediterranean & Lisbon Cadiz & Leghorn. Wherever they carry their Produce it is favorable they will supply themselves with the articles of European Produce & manufactures if they can have them on as good terms as they can at other places. In order to defray the expence of the war from 1755 to 1763<sup>5</sup> considerable sum of paper money was issued which preserved its credit without the least depreciation & was used in trade in common with gold & silver. Part of this money was annually redeemed & defrayed by taxes on the people so that the proportion of it as commensurate of the present war was inconsiderable. The sale of the produce of the country to our neighbours supplied an ample quantity of gold & silver to answer the purpose of Commerce & our trading People were but little in debt either in Europe or America. I congratulate you on the good news from Holland<sup>6</sup> & am with great esteem & attachment.

LBC, MHi. Sedgwick Transcription.

1. Letter not found. WL had previously received similar queries from Marquis de Marbois. See WL to John Witherspoon, Dec. 17, 1781. Marbois acknowledged receipt of this letter on Aug. 1, 1782 (Nj).

2. *ritu mercatorium*: by right of trade.

3. Madeira: an island group in the east Atlantic Ocean off the coast of Morocco, north of the Canary Islands.

4. Tenerife: the largest of the Canary Islands.

5. The Seven Years' or French and Indian War.

6. WL is referring to the official recognition by the Dutch of the United States on Apr. 19, 1782.

## To George Washington

Trenton 29 July 1782

Dear Sir

Application is made to me for a passport for one Major Tapping<sup>1</sup> to go to Staten Island to procure a sum of money upon loan which he wants to borrow for the purpose of building a slitting mill<sup>2</sup> in this State. The man is recommended to me as a good Whig, & it is rendered probable to me that by the means of a brother of his, on that Island, who has always been esteemed a friend to our cause, he will succeed. But as his

going by the way of Dobbs's ferry is incompatible with his enterprize, having no expectation of obtaining a passport from the Enemy to come into their lines, he therefore means to make his way in a private manner & wants my pass to legalize his going in, & to secure the money when brought out from Seizure. But as I am determined not to deviate from Your Excellency's views in confining the [establishment?] of the Flags at Dobbs's Ferry,<sup>3</sup> I shall not grant the pass requested, without your consent, & would wish to know your opinion in cases of a similar nature. I mean when certain advantages may be derived from an infraction of the rule, that cannot be expected from an adhesion to it. I take it for granted that your Excellency will be quite free & unceremonious on the Subject, as I am determined to refuse the passport if you have the least disposition against it,<sup>4</sup> conceiving it not only my duty to the public to prevent any thing that maybe probably injurious, but having brought myself under particular obligations to assist your Excellency in carrying your orders respecting the Post at Dobbs's ferry into effect. I have the honour to be with the greatest esteem Dear Sir your Excellencys most humble & very obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Moses Tapping. Letter not found.
2. slitting mill: a mill to slit iron bars into nail rods.
3. For background on Washington's regulation that all people traveling under flags of truce pass through Dobbs Ferry, see WL to George Washington, June 24, 1782.
4. Washington was willing to ease his policy under certain conditions. On Aug. 11, 1782, he told WL he had no objections to his granting Tapping a pass. Refer to George Washington to WL, Aug. 11, 1782 (NN); also in Fitzpatrick, *Writings of Washington*, 25:6-7.

### To Sir Guy Carleton

Trenton 10th August 1782

Sir

Upon the receipt of your Excellency's letter of the 21st July<sup>1</sup> I dispatched an Express to the Sheriff of Monmouth,<sup>2</sup> as the most proper person to apply to on this occasion, requesting him to furnish me with the cause of the capture and detention of Ezekiel Tilton? with his treatment? who he is? and if a Refugee when he first joined the enemy? and

if possible to send me his answer by that express, or as soon after as he could.

To that letter Sir, I last night received the Sheriffs answer which I will give in his own words.

“I received yours, (says he) of the 31st of July respecting the character of a certain Ezekiel Tilton lately taken prisoner and brought to this place. As to his being loaded with Irons; it is true. He joined the Enemy in the Spring 1777. He has been guilty of house robbing, house burning horse stealing and plundering, ever since the time of his running off, which can readily be proven. I am very sorry that it was not in my power to answer yours by the Express. It was not then within my knowledge as to his Character.” Thus far the Sherif of Monmouth, a Gentleman on whose Representation, from his known character as a man of honour & veracity, I can fully rely.

As there certainly was sufficient time between the fatal epocha when the English first imbued their hands in American blood in their hostile incursion into Lexington,<sup>3</sup> & the Declaration of our Independence, for every man to take his choice either to defend his Country against the design of reducing it to the despotism of Great Britain, or to join the Enemy in facilitating so unnatural & barbarous a resolution, this State Sir, by a clemency almost unexampled, has observed it as a rule to treat all those captured by us, who joined the Enemy previous to the establishment of our Legislature, which was a considerable time after the Declaration of our Independence, as prisoners of war; but to regard as Traitors all those who left their Country for that purpose since that period, before which we had a right to consider ourselves as actually and de facto, an Independent nation, leaving it to Providence and the Sword whether we should finally be so; and how far, by trusting in Providence and the Sword, we are like finally to be so, I suppose Sir, by this Time, your Excellency is able to form a tolerable judgment. This I presume is what every other nation in the world engaged in a Civil War, and equally inclined to moderation, would do: And without establishing that particular era was the time before which those who joined the royal party should be considered in the light of national enemies, and those who apostalize to it afterwards as Traitors to their Country, I conceive no time can be fixed upon to discriminate between British & American subjects, but all our criminals have nothing farther to do in order to escape the punishment due to their crimes than to flee to New York &

there procure a commission to perpetrate greater. Your Excellency might therefore as well demand any offender against the Laws of this State who has taken refuge in your very comprehensive asylum a fortnight ago, as one that has fled from us to the British Standard one day after he was, according to the Law of Nations, a Subject of this State, and so Mr. Tilton evidently was in 1777, or never would have been tho' the War had lasted a hundred years, & he continued among us for ninety nine, and had then joined your troops, and been afterwards captivated in the very act of warring against us. Your Excellency will therefore excuse me if in answer to that paragraph of your Letter in which you say "I hereby demand Sir, that this man shall be placed in the Condition of a Prisoner of war only, & treated with that lenity with which prisoners of war ought to be treated," I take the liberty to say with great plainness & sincerity, that this Man Sir, will not be placed in the condition of a Prisoner of war, nor be treated with that lenity with which Prisoners of war ought to be treated, but that he will be tried by the Laws of this State as a subject of it; & that for such trial & its consequences, I do not hold either the Executive or any other department of this State, responsible to any foreign state or Potentate whatever.<sup>4</sup>

Your Excellency is pleased to say "that from all comment on my Letter of the 25th of June last, however extraordinary it appears, you will at present abstain, and that you cannot think that I mean deliberately to violate the Laws of war, nor excite a spirit of resentment in the minds of the Loyalists, & provoke them to acts of revenge, which arrived to a certain height, will no longer remain in my power nor yours to prevent, & this at a time when all hostilities stand suspended on your part."

As the beginning of this paragraph appears to be ambiguous, I do not know whether your Excellency intends that my Letter is extraordinary or that your abstaining from all comment upon it, is so. If the former is meant, it is really more than I can discover on the most careful perusal of the Copy, for which reason I shall be the most obliged to your Excellency for your comment whenever you are at sufficient leisure to make it. In the mean time I shall take the liberty to insert in my chapter of Extraordinaries your Excellency's Insinuation that I mean deliberately to violate the Laws of war, when instead of giving the least colour for such a construction, the whole scope of my Letter manifestly announces the contrary.

As to the resentment of the Loyalists, was I not convinced from your

Excellency's character, & your knowledge of Mankind that you was above any thing of the kind, I should really consider it in the light of a threat. I am, Sir, Your Excellency's Most obedient and most humble Servant.

WILL: LIVINGSTON

ALS, NN.

1. See Sir Guy Carleton to WL, July 21, 1782.
2. Letter not found.
3. The battle of Lexington was fought Apr. 19, 1775.
4. Tilton was executed for high treason on Dec. 13, 1782, at Monmouth.

### To William Moore

Trenton, 10th August, 1782.

Sir,

I was yesterday honoured with your Excellency's Letter of the 6th instant.<sup>1</sup> With respect to Paul,<sup>2</sup> he is already safely lodged in goal in Philadelphia; and as to Woodward, the judicial department of this State has taken every necessary step to bring him to justice.<sup>3</sup>

I heartily congratulate your Excellency on the detection of this knot of Villains, which may probably lead to the discovery of more of the fraternity concerned in various robberies & burglaries in both States.<sup>4</sup> I have the honour to be with great esteem, your Excellency's most obedient & very humble Servant,

WIL. LIVINGSTON

*Pa. Archives*, 1st ser., 9:617.

1. Refer to William Moore to WL, Aug. 6, 1782 (NN). Moore requested New Jersey's assistance in the capture and return to Pennsylvania of three men accused of robbing the Bucks County, Pa., treasury.

2. Paul Caleb, who was held in the Monmouth County jail with two men, both named Woodward, from Crosswicks, N.J. Jesse and Salomon Vickars identified the trio as accomplices in the robbery. This was probably the same Paul sentenced to die as a spy in 1782. He was confined in Lafayette's camp but escaped before his execution (Sabine, *Loyalists of the American Revolution*, 2:153).

3. There is no record that either of the Woodwards was apprehended.

4. The Vickar brothers, Caleb, and the Woodwards were part of the notorious Doane brothers gang. At the beginning of the war, the Doanes were neutral Quakers. They turned outlaws after their property was confiscated and sold because they refused to take oaths of allegiance. Their five sons were accused of numerous crimes, including robbery and espionage for the British army. They preyed on the area along the Delaware River

border of Pennsylvania and New Jersey (Sabine, *Loyalists of the American Revolution*, 2: 381–83). Refer to *Pa. Archives*, 1st ser., 9:609, and *Pa. Colonial Records*, 8:95, 338, 373.

For examples of refugee raids in the surrounding New Jersey counties see Samuel Forman to WL, Nov. 7, 1781, and David Forman to WL, Feb. 17, 1782, and refer to WL Proclamations, Apr. 19, 1782, and June 19, 1782, offering rewards for robbers of Justice Isaac Smith of Hunterdon County and Abraham Hendricks, collector for Upper Freehold, Monmouth County (*N.J. Gazette*, Apr. 24, 1782, and June 19, 1782). For another example of cooperative efforts by New Jersey and Pennsylvania authorities to capture and extradite criminals see WL to William Moore, Apr. 26, 1782.

### From Judith Watkins

August 19th 82

Dear Pappa

You have already been made acquainted with the extreem illness I have been afflicted with, but thanks to the Almighty who, with the united care of my friends has again blest me with a prospect of health & permitted me the happiness of informing my friends of my recovery.<sup>1</sup> Occupied with other cares & projects as you are I hope, Pappa will excuse the freedom I take in applying to him on a Subject interesting only to myself.

When I had the pleasure of seeing you at Trenton you hinted to Mr. Watkins that if he would determine not to go to Europe you would furnish him with some money, the expectation of which had made him defer going as his only motive in leaving this Country was the hopes of obtaining something from his Father to enable him to get into business<sup>2</sup> in this country that he might support me in a manner more agreeable to his wishes he has now dropt every Idea of going as it would be attended with vast expence and I fear but little profit; you requested he would let you know his determination. Mr. Watkins was resolved then but his extreem modesty would not suffer him to tell you so. I thank Pappa for the affectionate Concern he expressed for me in case Mr. Watkins whent abroad (that of reserving the money for my benefit) tho had you known the friendship & tenderness of the best of men you had not had an Anxious thought about your daughter. With much fatigue have I been enabled to write thus far, considering my weakness you'll pardon the scrawl & belive me to be your affectionate daughter

JUDITH WATKINS

ALS, NN.

1. Judith Watkins was recovering from dysentery and the premature delivery of a second son shortly after the death of her first, John Flint. Refer to John W. Watkins to WL, Aug. 7, 1782 (NN), and see Susannah French Livingston to WL, Oct. 28, 1781, and Robert R. Livingston to John Jay, Apr. 20, 1782 (Morris, *Unpublished Papers of John Jay*, 2:152).

2. Watkins's father was in England. According to WL's daughter, Catharine, the "father had left him [John] handsome if he knew how to improve it, but very unfortunately for himself and his family he is an extreme helpless Man." To recoup the family's finances, badly damaged during the war, Watkins's mother planned to travel to Wales to sell her property there. Refer to Catharine W. Livingston to John Jay, Nov. 9, [17]83 (Morris, *Unpublished Papers of John Jay*, 2:638).

## To Peter Yates

Trenton 19 Aug 1782

Sir

I just now received your Letter of the 10th instant & am much obliged to you for your generous offer respecting my son.<sup>1</sup> The inclosed letter has lain by me for some time (for want of an opportunity) as you will see by its date. I now transmit it as a proof that my predilection of you to superintend his study of the Law, was not in consequence of the offer you make of taking him into your office without a fee which is however extremely kind & for which I am much obliged to you.<sup>2</sup> From the Colonel's preparatory education; his improvement by travel & his immense application to business I hope he will endeavour to recompense the generosity of your offer by a more particular devotion to your Business & Interest.

I think he applied himself to the study of the Law about a year before he sailed for Spain with Mr. Jay & I dare say he will make the most of his time this winter. Whether these circumstances will be considered by your Court, should he conclude to settle in the state of New York as so much or any thing in lieu of the usual apprenticeship, & what are the terms of admission with you, I shall be glad to learn from you.<sup>3</sup>

LBC, MHi. Sedgwick Transcription.

1. Letter not found.
2. WL's enclosure was his own letter to Yates of Aug. 7, 1782, in which he reported Henry Brockholst Livingston's inclination to study law under Yates's direction. Yates had already found out about Brockholst's desire through Colonel Robert Troup. Refer to Henry Brockholst Livingston to WL, Aug. 20, 1782 (MHi).
3. Peter Yates received his professional training in WL's law office in New York.

## To Henry Brockholst Livingston

Trenton 20 Aug 1782

Dear Brock

I have received your Letter of the 18th;<sup>1</sup> I am glad to hear the Books are in so good condition & shall never blame the mice as I often have our assemblies for their antipathy to Law.

There is not a book in the world, I mean with respect to your Shining as a Logician which it concerns you more to be master of then Watt's Logick.<sup>2</sup>

As to your preferring to be with Mr. Benson at Poghkeepsie to your entering with Mr. Yates at Albany, the matter has been carried too far with the latter as you will by this time have found from my last Letter to you for us to recede with honour.<sup>3</sup> Abstracted from this your advantages with Mr. Yates will be greater because besides the opportunity of seeing more of the proceedings of Courts (which he mentions in his Letter that I have sent you & which greatly facilitates the gaining a knowledge of the practice of the Law) the Attorney general of that State as well as of ours will during the war & for some considerable time after it be so taken up with *criminal causes* as to render it impossible for him to go through that variety of *civil ones* which is much more instructive to every Student who does not himself mean to be an Attorney General. As to your being introduced with greater advantage to the Public thro that channel I do not mean to flatter you when I say that your abilities & industry will want no other introduction. I will admit because it is probable that boarding at Poghkeepsie is cheaper than it is at Albany; but when the saving of a little money is set in competition with the real advantage of my Children Especially of those of them who by their behaviour do an honour to me I will make every shift in the world rather than save on such an occasion. As you are one of those I can with the greatest sincerity call myself your most affectionate father.

P.S. Peter Jay is to come with Mama if it is possible.

ALS, MHi. Sedgwick Transcription.

1. Letter not found. In his letter of Aug. 8, 1782 (NN), Brockholst offered to remove WL's lawbooks from their storage place in a hot garret in Turkey, a neighborhood within Elizabethtown.

2. WL's library probably contained a copy of Watts' *Logic* (and Supplement). Refer to List of Books possibly read by WL or in his library, n.d. (MHi).

3. In his own letter of Aug. 20, 1782, Brockholst agreed that Peter Yates's offer to oversee his legal study precluded the necessity of writing to Egbert Benson. Refer to Henry Brockholst Livingston to WL, Aug. 20, 1782 (MHi), and see WL to Peter Yates, Aug. 19, 1782.

### “Caius”

August 21, 1782

GREAT-BRITAIN having tried in vain to reduce this country by force, is now playing a second game, in attempting to win over the minds of the people to her views, by addressing herself to the interests of individuals.<sup>1</sup>

Sir Robert Walpole, the father of corruption in Britain, who from many years experience as Prime Minister, had obtained an intimate knowledge of human nature, used to say, “every man has his price.”<sup>2</sup> This was only a more enlarged modification of Philip of Macedon's maxim, “that no city was impregnable into which an ass might enter laden with gold;” and it is said he made himself master of more fortified towns by this sort of artillery, than by the strength of his armies.<sup>3</sup> Sir Robert did not confine his observation to gold alone, he meant that some were to be corrupted by money, others by honours; in fine, that the particular passion was to be gratified, of whatsoever nature or kind it may be. Governor Johnstone, while in America, put in practice this maxim of Walpole's, having acknowledged in the house of commons that he had made use of other means than persuasion, in order to make converts to the British interest.<sup>4</sup> From which declaration, and other circumstances, we have reason to believe there is, at this time, a number of pensioners residing among us, who are bribed to forward the cause of their employers.<sup>5</sup> This cannot be done more effectually at present, than by introducing the manufactures of Great-Britain into these states, which has a two-fold operation in their favour; first, by providing a vent for their commodities, which lay a dead weight upon their hands; and, secondly, by aiming a blow at our taxes and funds.<sup>6</sup>

Agriculture and manufactures are the foundations of the wealth of Great-Britain: The farmer sells his flax and wool to the manufacturer, who forms them into a thousand shapes, and disposes of them to the merchant, who sends the superfluous part abroad for sale. If the merchant is disappointed in the sale, he cannot pay the manufacturer, nei-

ther can the manufacturer pay the farmer, who is thereby disabled from supplying his taxes. Hence the disagreeable necessity oftentimes of increasing the old taxes, or laying new ones, which, in a country like England, heavily taxed as it is, is ever apt to breed murmurs and discontents among the people. This is one reason why every friend to America should oppose the introduction of British goods among us at this critical period.—But another more forcible than the former presents itself to our view; it is, that the enemy is draining us of our current cash, so essential at this time to the prosecution of the war. They know we are just emerging from a sea of paper money, in which we had well-nigh been lost. They know we have imported from abroad large sums in specie, which have enabled us to do without paper;<sup>7</sup> and that it would, with the present good management, have put it in our power to have paid our taxes in solid coin. They know too that we have among us a set of men, who, regardless of the welfare of their country, are only to be *tempted* to be wore over to their views, who are ready, whenever the opportunity offers, to give them all our gold and silver for their manufactures, and our liberty into the bargain.

If we allow this pernicious traffick to go on, we shall not in a little time have a shilling of hard money left among us. In this case we shall be incapable of paying taxes in gold or silver, without which it will not be possible either to clothe or feed an army;<sup>8</sup> the consequences of which will be, that our lands must lie open to the ravages of the enemy, our houses be destroyed, and our cattle driven away; and all these things are to be suffered because a few miscreants are desirous of getting rich.

But there are some other arguments which also merit our consideration, if we respect the laws of our country, the interest of the fair-trader, or the reputation of America. Congress seeing the ill tendency of exchanging our gold and silver for British goods; and having recommended it to the several states to pass laws to prevent it,<sup>9</sup> some of the Legislatures have gone into the measure with a spirit truly becoming American patriots. In Pennsylvania no British manufactures, except prize-goods, are allowed to be brought in, even from neutral ports.<sup>10</sup> The merchant there, at an immense expence and risk, sends his vessels across the atlantick for supplies of manufactures; but, before they return, discovers the market is spoiled by a glut of British goods brought in from New-York, in payment for which the circulating medium of hard cash, so essential to the prosperity of trade, is sent thither. Is there justice or even humanity in such conduct?

But what will our great and good ally, the king of France,<sup>11</sup> think of this traffick, after the many seasonable aids of men and money he has furnished us in our uttermost distress? In what a mean and despicable light must they appear to him; how unworthy the blessings of liberty, who can so soon forget the ravages and insults of the British armies, who can lay aside their just resentments, and even sacrifice, as far as lies in their power, the interest and happiness of their country. I conjure you, my countrymen, as you tender the welfare and safety of America, to bestir yourselves, to watch every avenue by which this destructive trade may be carried on with our enemies, to keep an attentive eye to all the manoeuvres of these sons of mammon, and by this kind of warfare you will render your country as essential services in the present stage of the contest, as you have done in the field with your muskets and bayonets.

CAIUS

*N.J. Gazette*, Aug. 21, 1782.

1. Several sections of this essay, particularly the first paragraph, paraphrase WL's Message to the Assembly, May 17, 1782, and of the House of Assembly's Resolution, May 29, 1782.

2. Sir Robert Walpole was first lord of the treasury and chancellor of the exchequer from 1721 to 1742. He once described the declamatory speeches of his opponents, as being entirely motivated by self-interest: "All these men have their price. . . . As to the revolvers, I know the reasons and I know the price of every one of them."

3. Philip II, eighteenth king of Macedon, successfully used bribery to seize the towns of Olynthus, Eritrea, and Oreus in 349–347 B.C. (Demosthenes's "Third Philippic Oration" in Charles Rann Kennedy, tr., *The Olynthiac and other Public orations of Demosthenes* [New York, 1868], 124–29).

4. George Johnstone had accepted a position on the Carlisle Commission, enjoined to restore peace in North America. It arrived at Pennsylvania on June 6, 1778. On June 21 Johnstone's offer of a bribe to Gen. Joseph Reed was made public and condemned by Congress. Johnstone left New York for Great Britain on Sept. 24, 1778. For background on the incident see Henry Laurens to WL, Aug. 21, 1778; also refer to *JCC*, 11:772–73, and Stevens *Facsimiles*, 11:item 1132. Johnstone, speaking later in the House of Commons, admitted he had used "transactions where other means besides persuasion [had] been used" (Hansard, *Parliamentary History*, 19:1355).

5. One such incident involved Capt. Elias Romeyne (or Romine), who was ordered to prevent illegal trade between Bergen County and the British in New York. He was court-martialed and dismissed from service for taking bribes to remit the fines of disaffected persons. See Court-Martial of Elias Romine, April 22, 1782.

6. For the most recent reference to illegal trade see WL to Sir Guy Carleton, June 25, 1782. Illegal trade continued to be a problem. On June 7, 1782, WL recommended to the assembly that an act be passed to prohibit the issuing of writs of replevin for goods seized as illicit British imports. See WL to the Assembly, June 7, 1782, and refer to *General Assembly*, 26. WL again expressed his concern about illicit trade on June 12, 1782, when

he suspended the commission of Baker Hendricks. This commission authorized Hendricks to fit out his whaleboats as war vessels in accordance with the congressional resolution of May 21, 1782, which was designed to prevent trade between private armed vessels and the enemy. Refer to WL Proclamation, June 19, 1782, and *JCC*, 22:280–81. In his letter of June 24, 1782, to George Washington, WL commented favorably on the vigor of an act passed on June 24 by the New Jersey Assembly to prevent trade with the enemy, but remarked that committees for the purpose of executing this law might be more effective than a magistrate. See WL to George Washington, June 24, 1782, and refer to *General Assembly* (May 15–June 24, 1782), 95–105.

7. The rate of exchange between continental currency and specie had been rising rapidly. On June 2, 1781, WL proclaimed the rate of currency to specie to be 175 to 1 and announced that rates of exchange would be adjusted as often as necessary (WL Proclamation, June 12, 1781). The treasury was augmented by a French loan of 2.5 million livres received by Congress in September 1781. See George Washington to WL, Sept. 3, 1781. Despite the influx of specie, the depreciation of paper currency continued. For recent efforts by federal and state officials to deal with inflation see WL to John Mehelm, Nov. 21, 1781, and Robert Morris to WL, May 13, 1782.

8. For the difficulties encountered by Congress and superintendent of finance Robert Morris in collecting money from the states to pay and provision the army, refer to Robert Morris to WL, July 29, 1782 (Nj).

9. On June 21, 1782, Congress passed an act recommending that the states adopt measures to suppress “all traffic and illicit intercourse” with Great Britain. On July 1 Congress resolved to direct the secretary at war, Benjamin Lincoln, to order inspections and seizures of British goods imported for the use of prisoners of war at Yorktown, and to prevent further issuing of goods not needed for the use of these prisoners. On July 17, 1782, Congress resolved to prevent collusion in the capture of a British vessel and her cargo. Refer to *JCC*, 22:340, 341, 362, 363, 392, 393.

10. On Apr. 10, 1782, the General Assembly of the Commonwealth of Pennsylvania passed an act to prevent the importation of British goods or merchandise under the penalty of confiscation (*Acts of the 6th General Assembly of Pa.*, 2d sitting, 33–34). On September 20 the Pennsylvania Assembly passed an act to repeal the foregoing act, and to provide that all British goods and manufactures should be considered as contraband, to be seized, condemned, and confiscated (*Acts of the 6th General Assembly of Pa.*, 3rd sitting, 86–91).

11. Louis XVI.

## To Ralph Macnair

Trenton 21st Aug 1782

Sir

I received your Letter of the 12th instant yesterday.<sup>1</sup> As you seem to have very reasonable pretensions to the permission you solicit, & I should not wish to deny any man the Means of recovering Debts due to him from American officers for necessary supplies furnished them in their captivity & distress,<sup>2</sup> I think your request of my passport to go

thro' this State to Philadelphia for that purpose natural enough. But as I do not think myself at Liberty to grant a passport to any person in the Enemy's lines, to go into any other State & your business being in Philadelphia, you ought to have a passport from the President of Pennsylvania to come into that state, & then I shall make no difficulty of granting you mine to pass thro' this on your way thither.<sup>3</sup>

And in order to facilitate this matter & to save you the time that would necessarily be consumed by your application to President Moore I have this day written to him on that subject inclosing to him your Letter to me, & offering him to transmit his passport to you together with my own if he shall think it proper to grant it.<sup>4</sup>

Your seeing me at my own house is impracticable as I have not for some years past been able to live under my own roof on account of the particular passion that your Countrymen had for making prisoner an old fellow who in General Clinton's opinion was not worth the trouble tho' to my certain knowledge he spared no pains to effect it.<sup>5</sup> I am Sir

LBC, MHi. Sedgwick Transcription.

1. Refer to Ralph Macnair to WL, Aug. 12, 1782 (NN).

2. On June 17, 1780, the New Jersey Legislature passed "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." This act stipulated that contractors would "be allowed the same rewards for the Purchase of Provisions for the Support and Maintenance of Prisoners of War as they are entitled to for the Purchases by them made for the Supply of the Army" (*Acts* [May 24–June 19, 1780], 110, 113).

3. WL could authorize passes only to New Jersey residents to enter and exit enemy lines. See George Washington to WL, June 18, 1782.

4. Letters not found, but refer to William Moore to WL, Aug. 21, 1782 (PHarH).

5. WL is referring to a letter from Sir Henry Clinton respecting Clinton's "condescension" in responding to WL's accusation that one of Clinton's officers was plotting to assassinate him. See Sir Henry Clinton to WL, Apr. 10, 1779, and WL to Sir Henry Clinton, Apr. 15, 1779, 3:54, 56–58. For the latest perceived effort to kidnap WL see WL to Henry Brockholst Livingston, Oct. 24, 1781.

To John Livingston

Trenton 22d. August 1782

Dear Sir

I just now received a Letter from Cozin Philly in Jamaica,<sup>1</sup> in which he intreats me to acquaint his mother and the family that he will sail for

New York in October next, provided a truce takes place between Great Britain and the Congress. As I really do not know where Sister Livingston at present lives, I take the liberty to request you to communicate to her this agreeable intelligence.<sup>2</sup>

I begin to flatter myself that the present ministry have some sensibility respecting the pacification they profess to hold out; and if they do not embarrass the negotiation after agreeing to our Independence (which they must admit in the most unlimited sense, or they are as ar-rant hypocrites as their predecessors) with any ridiculous & inadmissible articles, it is probable that we shall have peace before Spring.<sup>3</sup>

In full expectation of an honourable peace, & in manifestation of my christian Spirit of forgiving injuries, I have ventured to write this Letter upon paper stampd with his Majesty's crown, & initials, which is the first time that I have used so unorthodox a fabric since this article has been manufactured amongst us. With my respects to Cozin Livingston & your other connections, I am Dear Sir your most humble servant

WIL. LIVINGSTON

ALS, NNC.

1. Philip P. Livingston, WL's nephew, son of WL's brother Philip. For a reference to Philip P. and Philip J. Livingston's joint estate on Jamaica and to WL's suspicion of their Loyalist sympathies see WL to John Henry Livingston, Sept. 29, 1778, 2:450–51.

2. Christina Ten Broeck Livingston, WL's sister-in-law, was the widow of Philip Livingston.

3. WL is referring to the Rockingham ministry which was appointed after the fall of Lord North in March 1782. The marquess of Rockingham had died on July 1, 1782. The king appointed the earl of Shelburne in his place. See the resolution of the New Jersey Assembly, May 27, 1782, for previous developments of the peace negotiations.

## To Judith Watkins

Trenton 22d August 1782

Dear Judith

I have received your Letter of the 19th instant,<sup>1</sup> & am very happy to hear that you are so far recovered from your late indispositions. As to what you mention respecting my assisting Mr. Watkins nothing should prevent me from doing it immediately but my actual inability to do it. As I do not receive a single farthing for Interest Money on all that I have out in Bonds I have no other resource for supplying the necessities of

my own family than my little salary,<sup>2</sup> & it is with great difficulty that I can get that even by trifling sums from the Treasury which is generally empty. That is unfortunately its present state when near half a year's salary is due to me which is payable quarterly. I have however great expectations of receiving at least part of what the State owes me by the next sitting of the Legislature which will be the latter end of next month. If my expectations are answered Mr. Watkins may be assured that the first hundred pounds which I can possibly spare from the bare maintenance of my family, he shall have. I have no greater pleasure than that of assisting my children when it is in my power but then I wish them to remember that all the assistance I can give them, considering the loss I have suffered during the war will signify very little unless they get into business & do something for themselves

LBC, MHi. Sedgwick Transcription.

1. See Judith Watkins to WL, Aug. 19, 1782.

2. In his message to the assembly of June 18, 1782, WL noted that though the legislature had voted him a salary of £1,000, depreciation had reduced its value to £300. For WL's earlier complaints about his salary see WL to John Mehelm, Nov. 21 and 23, 1781.

### From William Moore

In Council Philadelphia August 24 1782

Sir,

Your letter,<sup>1</sup> inclosing one from Mr. Macnair<sup>2</sup> to you, has been communicated to the Council<sup>3</sup> and to the delegates of the state in Congress, from whom we learn that Congress did not think Mr. Mcnair intitled to the permission which he had requested. This being the case, and there appearing no circumstances tending to prove that he had supplied our officers in consequence of any public engagement, or from regard to our cause, but on a principle of gain only, the Council decline giving him the permission to come into this state, and do not think it necessary for them to suggest a mode of transacting the business which he has to do.

It may not be improper to hint that the present temper of the Whigs of Pennsylvania would not easily brook an extraordinary indulgence to our enemies and your Excellency may be assured that Carlton & Digbys letter<sup>4</sup> has not produced in the minds of any, consequences favourable to the Loyalists, either *within* or *without* the enemies lines. I have

the honor to be, with great regard your Excellency's Most obedient  
Servant

WM MOORE

ADfs, PHarH.

1. Refer to WL to William Moore, Aug. 21, 1782, *Pa. Archives*, 1st ser., 9:622.
2. Macnair wanted permission to travel from New York City to Philadelphia for the purpose of collecting debts. Refer to Ralph Macnair to WL, Aug. 12, 1782 (NN).
3. The Supreme Executive Council of Pennsylvania (*Pa. Archives*, 1st ser., 5:252).
4. Sir Guy Carleton and Adm. Robert Digby wrote jointly to George Washington on Aug. 2, 1782, to inform him of the Paris peace negotiations. Carleton and Digby had been told that the negotiations would include a proposal either to restore Loyalists' possessions or to compensate them for their losses (Fitzpatrick, *Writings of Washington*, 24:468-69, 471-72; 25:21-23). Congress refused to act without confirmation from the American ministers in Paris (*JCC*, 23:462-63; *Royal Gazette*, Aug. 7, 1782, Aug. 17, 1782; Smith, *Historical Memoirs*, 2:545; *N.J. Gazette*, Aug. 14, 1782, Aug. 21, 1782). For Carleton and Digby's previous efforts to deal directly with Congress see WL Message to the Assembly, May 17, 1782.

To Samuel Hayes

September 1, 1782

Sir

In answer to your Letter of the 26 last I think that all the refugees who have left this State & joined the Enemy since the declaration of our Independence & who return into it by any of our Posts ought immediately to be sent to the nearest Justice of the Peace, to be dealt with according to Law & by no means be suffered to pass, much less to be furnished with passports either by the commanding officer at the post or by the Magistrate.<sup>1</sup> Those who went to New York before that period should be treated as prisoners of war & kept for exchange.<sup>2</sup> I am astonished that our Magistrates should adopt a mode of proceeding that is not only unwarranted by Law, but amounts to an invitation to all those unnatural rascals who have so long thirsted for our blood & the destruction of our Liberty to deluge the country with their detestable presence, & who only wish to return because they are disappointed in the machination of Britain to enslave us. I am more surprised at the repetition of that conduct in Mr. Woodruff, because I have so plainly remonstrated against it in the case of one Thorne to whom he had given a pass & whom I sent back to New York for which as I have since learnt all the

Whigs in New York are extremely obliged to me, as this same Thorne is as great a scoundrel as the refugees can boast, & after having been a Tory during the whole war & having made a fortune in New York, now meant to avail himself of the blessings of that very constitution which we have so long laboured to establish & he to destroy.

LBC, MHi. Sedgwick Transcription.

1. Maj. Samuel Hayes had written WL on Aug. 26, 1782, about John Cunningham, who after having served in the New Jersey militia, had deserted to New York. He turned up at the Woodbridge military post with a pass for Trenton from Judge Isaac Woodruff.

2. For the distinction between military and civil prisoners see Sir Guy Carleton to WL, July 21, 1782.

### Privateer Bond for John Baudouine and John Bray

September 4, 1782

Know all Men by These Presents That we John Baudouine & John Bray both of the County of Middlesex in the State of New Jersey are held & firmly bound unto his Excellency William Livingston Esquire, Governor of the State of New-Jersey and to his Successors in that office in The Sum of five Thousand dollars to be paid the said William Livingston Esquire Governor as aforesaid or to his Successors in That Office for the use of the said State; To which payment well & truly to be made and done, we bind ourselves, our heirs, Executors and Administrators jointly and severally, firmly by these Presents, sealed with our Seals dated The fourth day of September in The year of our Lord One Thousand Seven hundred & eighty two.

The Condition of this obligation is such That Whereas the above bounden John Baudouine Master and Commander of the Gun Boat called the Revenge belonging to the said John Bray & others mounting three carriages and eight swivel guns and navigated by thirty five men, who hath applied for and received a Commission bearing [even?] date with these presents, licencing and authorizing him to fit out & set forth the said gun Boat in a warlike manner and by & with the same & the officers & crew thereof by force of arms to attack, subdue, seize & take all ships, vessels & goods belonging to the King or Crown of Great-Britain, or to his Subjects, or to others inhabiting within any of the territories or Possessions of the aforesaid King of Great-Britain, or any

other Ships or vessels, goods, wares and merchandizes to whomsoever belonging which are or shall be declared to be subjects of capture by any ordinance of the United States in Congress assembled, or which are so deemed by the Law of Nations.<sup>1</sup> Now therefore if the said John Baudouine shall not Exceed or transgress the powers & authorities given or granted to him by any ordinances, Acts, or Instructions of the United States in Congress assembled, but shall in all things govern & conduct himself as Master & Commander of The said Gun-Boat the Revenge and the Officers & Crew belonging to the same by & according to the said commission, ordinances, Acts & Instructions, and any treaties subsisting or which may subsist between The United States in Congress assembled, and any Prince, Power or Potentate whatsoever and particularly shall well & truly and faithfully observe & keep the Instructions now delivered to him, bearing even date with these Presents, a true copy whereof is framed by the said John Baudouine and left in The hands of the said governor, and shall not violate the Law of Nations, or the rights of neutral powers, or any of their subjects, and shall make reparation for all damages by any misconduct or unwarrantable proceedings by himself or the officers or Crew of the said gun-Boat the Revenge Then This obligation to be void, otherwise to remain in full force & virtue.

JOHN BRAY  
JOHN BAUDOUINE

Sealed and Delivered in the presence of

MATTHEW WILLIAMSON  
AZARIAH CLARK

D, MHi.

1. For New Jersey legislation concerning privateers see WL Proclamation, June 12, 1782.

From Robert R. Livingston

Office for foreign affairs  
Philadelphia 15th September 1782

Sir

I have the honor to inform you by the direction of Congress, that I have lately received official Advises from Mr. Adams of the Resolutions

of their High Mightinesses the States General to receive and acknowledge the said Mr. Adams in quality of Minister Plenipotentiary of the United States of America and to request your Excellency to cause this interesting event to be made public.<sup>1</sup> I have the honor to enclose Copies of the Resolutions of their High Mightinesses on this subject<sup>2</sup> & to inform you that the States General did on the 23d of April appoint a grand Committee to confer with Mr. Adams to whom having been introduced in the usual forms by two Noble Men, He laid before them the plan of a treaty of Amity and Commerce which was immediately printed & sent to the different Members of the Sovereignty.<sup>3</sup> I cannot conclude without congratulating your Excellency upon an event which widens the basis of our Independence and lends to an immediate connection with a powerful Nation, whose Alliance a variety of Circumstances in their Origin & Government render extremely desirable. I have the honor to be Sir with great Respect & Esteem Your most obedient humble Servant

ROB R. LIVINGSTON

LS, NHi.

1. See Jacob Diriks to WL, Apr. 29, 1782.

2. The enclosure has not been found. The resolutions of the Dutch States General are published in Wharton, *Revolutionary Diplomatic Correspondence*, 5: 319.

3. Robert Livingston is paraphrasing Adams's description of the treaty negotiations in the latter's letter to Congress of Apr. 23, 1782. Refer to John Adams to Robert R. Livingston, Apr. 23, 1782, in Wharton, *Revolutionary Diplomatic Correspondence*, 5: 325. Although a treaty of amity and commerce was not signed until October, Adams, in May 1782, had negotiated a five million guilder loan for the United States with three Amsterdam banking houses.

### To Henry Brockholst Livingston

Brunswick 16 Sept. 1782

Dear Brock

In answer to yours of the 11th instant, I really have the vanity to think that I know as much about the matter as Colonel Troop.<sup>1</sup> The advantages you will reap by applying to your Books at home this winter will be greater than what you would reap from being two years in the office of any Lawyer whatsoever. There is no such thing as learning Law in such an office; & the practice which can only be learned there will appear exceedingly intricate if not absolutely absurd, unless the appren-

ture has laid a proper foundation in the theory which will elucidate the rationale of the practice as he proceeds. If I was sure that no allowance would be made for it as to the term of service in order to your admittance; if I was not in the least embarrassed with respect to furnishing you with money I would still advise the above measure,<sup>2</sup> & you may depend it that when you leave Mr. Yates's office tho' you should stay in it three years you will find that the greatest part of the Law that you will then know, you will own to have learnt this winter by your private & solitary application at home. As to the Scheme of borrowing money in Philadelphia I can't indure the thought & [f]ear to the doing a dishonourable thing. I would have you despise running in debt. I need not add that there is at present not the least prospect of peace which militates strongly against your going to Albany this fall. I really do not know what the Legislature have done respecting the depreciation; but will inquire & inform you after my return to Trenton.

LBC, MHi. Sedgwick Transcription.

1. Refer to Henry Brockholst Livingston to WL, Sept. 11, 1782 (NN). Col. Robert Troup had written Brockholst that progress in his law studies would be more rapid in Albany than in New Jersey since he would be among other students.

2. Brockholst wrote in his letter of September 11 that he feared WL was against his immediate apprenticeship in Albany since he could not furnish the necessary financial support at this time. Brockholst offered to borrow on his own credit in Philadelphia.

### From Henry Brockholst Livingston

Elizabeth Town 20th September 1782

My dear Sir,

If your principal objection to my going to Albany this fall arises from a desire of my previously laying such a "foundation in the theory as will elucidate the rationale of the practice," I see no great difference between your & Col. Troup's opinion on this subject.<sup>1</sup> When he hazarded his advice, he was not unacquainted with my having studied law, & nothing but law, near a twelve month, and very reasonably concluded that any person with moderate application might in that time acquire a sufficient knowledge to prevent the practice from appearing "exceedingly intricate & absurd." I can truly say that many parts of the law, particularly those descriptive of its practice appear to me in that light at present merely from being a perfect Stranger to the business of an office, & the

manner of proceeding in our Courts of justice. To acquire an accurate knowledge of these from books is attended with difficulties which, in my situation, are insurmountable. The Clericalis Instructor,<sup>2</sup> into which I have looked & not without some attention, appears calculated rather for young practitioners just on leaving an attorney's office, than for those who have not yet entered upon an apprenticeship.

Was the whole of a clerk's time to be employed in copying the trash of an office, I should be as much against going into one yet, as you are. But when I consider that but a small part of the day, especially in winter, can be allotted to office hours, any person, disposed to be industrious, may have as much time to himself, as he can profitably employ at his books. In going to Albany, it was my intention to be punctual in attending Mr. Yates' office, & to devote the long winter Evenings to study such useful parts of law as he should advise. Thus theory & practice would have gone hand in hand & my progress in both have been much greater than it can be with the best books in the universe, unassisted by any person to direct my enquiries to the most useful points, or to help in the solution & explanation of doubtful or obscure ones.

As you have been explicit on the subject in question, I shall press you no futher, but submit to your determination with that cheerfulness which an implicit confidence in your Judgement cannot fail to excite and you may depend upon my unwearied attention to such books as you may think proper to recommend for my perusal.

You are displeased with my proposal of borrowing money, & seem to have mistaken my meaning on that subject. Altho' it was my Intention to have made the loan in my own name, for reasons for which you cannot be at a loss, yet I had no doubt of your readiness & ability to assist me in discharging a debt contracted on such an occasion & which would not have exceeded thirty pounds. I saw nothing dishonorable in this, or should have revolted as much at making the proposition, as you have been ready in condemning it. My debts as they now stand, fall very far short of the monies [owed?] to me & such as they are, I have the satisfaction to reflect that they were not contracted unnecessarily or without the fairest prospect of soon being in capacity to discharge them. What I owe Mr. Jay makes the largest part of my debts, and to do him the Justice I know that he does not consider himself in the light of my Creditor. My repaying him will be entirely a voluntary act on my part & is founded upon the following consideration. Being absent on furlough, & of course entitled to Lieutenant Colonel's pay, it would have

been unreasonable that I should have received this without refunding the monies advanced me by Mr. Jay.<sup>3</sup> But if the certificate given me in lieu of pay suffers any considerable depreciation, I shall not think there will be the least injustice in withholding from Mr. Jay the intended reimbursement. I shall in that case consider him as a creditor of Congress for his advances to me, which were certainly much less than what he must have paid to any other clerk for doing their business.<sup>4</sup> The rest of my debts are trifling. I intend & hope to be able to pay them.

Our horses are not found. Mr. Clarkson's, which Mamma borrowed to bring her home has also strayed from our pasture, & has not been heard of these two days. I am, my dear Sir, Your dutiful Son.

BROCKHOLST LIVINGSTON

ALS, NN.

1. See WL to Henry Brockholst Livingston, Sept. 16, 1782.
2. Robert Gardiner's *Instructor Clericalis* in five volumes. Several editions were published in London during the eighteenth century.
3. Brockholst attempted to collect his back pay from Congress upon his return from Spain. See Henry Brockholst Livingston to WL, July 20, 1782.
4. For the money advanced by Jay to Brockholst during their mission to Spain see Sarah Jay to WL, June 24, 1781.

### Representation of the New Jersey Legislature to the Continental Congress

September 24, 1782

To the United States in Congress Assembled.

The Representation of the Legislature of the State of New Jersey Respectfully Sheweth.

That a very pressing Application has been made by the Officers of the Regiments of this State in Continental Service,<sup>1</sup> in behalf of themselves, and the Soldiers under their command, for a discharge of at least a fourth of their pay, which has been long due, which common Justice requires they should be furnished with, and which is really necessary to their comfortable subsistence; complaining also of the partial Supplies of Money that are furnished to the Troops of the respective States, some receiving from the States to which they belong considerable, whilst they receive none at all; alledging at the same time that the Taxes levied by this State are large, of which those of the Officers and Soldiers that have property bear their part, and that from the publication

of the receiver of Continental Taxes for this State it appears that a Proportion of the requisitions of Congress equal to what has been paid by the Neighbouring States has been paid by this State but no part of the same appropriated to the payment of the Troops thereof.<sup>2</sup>

The Justice due to our Troops, their patient enduring the worst of almost every thing which renders life comfortable for a series of years past, the unexampled Virtue and firmness they have displayed during the whole time of their service are as fully known to Congress as to the Legislature of this State; and we cannot look upon their Complaints with indifference, nor treat them with disregard, nor can we deny their Title to equal emoluments with the Troops of the other States: whilst the latter are receiving supplies from their respective States the former cannot be withheld from complaining of the injustice of their not being placed on an equal footing with those, whose toils they have shared, and of whose Advantage the publick have engaged them an equal Participation, and we cannot suppose they will in Silence submit to any unjust and partial distributions, while their Claims are equal and their sufferings the same.<sup>3</sup>

Impressed with these Sentiments and with the Justice of the Application the Legislature of this State beg leave to observe that if Measures cannot be taken by Congress to secure equal Advantages to the Troops of this State, by discharging at least a part of their Arrears, they will be under the necessity of so far complying with the Wishes and Wants of their Troops as to withhold tho' with great reluctance a part of the Supplies intended for the use of Congress and to appropriate the same to the payment of part of the said Arrears, however disagreeable to the State and inconvenient to the Union such partial Provisions by particular States may by experience be found.<sup>4</sup>

Your Representants therefore take the Liberty to request that a speedy determination may be had in the promises, and the result communicated to this State as soon as possible.

Council Chambers Sept. 24th 1782  
Signed in and by Order of Council

WIL: LIVINGSTON

House of Assembly  
September 24, 1782  
Signed in and by order of the House.

JOHN MEHELM

LS, DNA:PCC 68.

1. Application not found.
2. Congress in October and November 1781 had passed resolutions requiring the states to pay in 1782 their assigned share of \$8 million to cover the expenses of the war department and the civil list. New Jersey's annual share was \$485,679, due quarterly, beginning Apr. 1, 1782. The states were slow to pay their share of the requisitions and by Sept. 1, 1782, only \$125,000 had been collected. By this date many soldiers had not received salaries since 1781, when superintendent of finance Robert Morris took office. See Robert Morris to WL, Apr. 12, 1781. In addition, state officials were aware that Morris, severely pressed for money by army contractors, was reluctant to pay the military. To alleviate mounting discontent among the soldiers, some states in the summer of 1782 began to pay soldiers' salaries directly to them, instead of filling their congressional requisition. Morris warned these states that such payments would not be considered as part of the money they owed the federal government (*JCC*, 21:1087–88, 1091–92; Fitzpatrick, *Writings of Washington*, 25:187; Wharton, *Revolutionary Diplomatic Correspondence*, 5:524). Refer to Robert Morris to WL, July 29, 1782 (Nj), and "Caius" to the *N.J. Gazette*, Aug. 21, 1782, n. 7.
3. Washington was aware of the rampant discontent in the army caused by the lack of pay. In letters written Oct. 2, 1782, he warned both secretary of war Benjamin Lincoln and superintendent of finance Robert Morris of "the actual temper and disposition of the Army . . ." with the men, "about to be turned into the World, soured by penury and what they call the ingratitude of the Public . . ." Morris, on Oct. 15, 1782, assured Washington that "Congress have done all in their Power to procure Money for the Army" (Fitzpatrick, *Writings of Washington*, 25:226–29, 230–31).
4. Congress referred the petition of the New Jersey Legislature to a congressional committee consisting of Samuel John Atlee, James Madison, and Elias Boudinot. On Oct. 1, 1782, the committee members reported that in their opinion those states which paid soldiers directly and refused to pay their share of the congressional requisition of Nov. 2, 1781, were infringing on federal authority. A congressional resolution was passed the same day informing the New Jersey Legislature that renewed efforts would be made to collect money from the states and to pay the troops promptly in the future (*JCC*, 23:629–31).

### To the Assembly

*Trenton, Sept. 28, 1782.* WL transmits to the house several congressional resolutions<sup>1</sup> and letters<sup>2</sup> concerning national credit and the national debt.<sup>3</sup>

ALS, Nj.

1. These included a Sept. 4, 1782, resolution which asked that the states pay the federal government \$1.2 million to defray the interest on the \$30 million national debt; a Sept. 5, 1782, resolution which ordered the superintendent of finance, Robert Morris, to send each state a copy of his report on public credit; a Sept. 10, 1782, resolution which set New Jersey's quota of the \$1.2 million requested on September 4 at \$66,000 (*JCC*, 22:407–8; 23:545–46, 549, 564; Burnett, *Letters*, 6:511).

2. WL also transmitted to the assembly letters from Robert Morris in which he proposed a 1783 continental supply budget of \$11 million. Morris also recommended procuring a foreign loan and cutting the navy budget by 88 percent to reduce the national debt. Refer to Ferguson, *Papers of Robert Morris*, 6:94–103. Morris's letters of July 29 and 30 were read in Congress on Aug. 5, 1782, and referred to the grand committee (*JCC*, 22:429–46; Ferguson, *Papers of Robert Morris*, 6:74–75).

All eight items enclosed in WL's message were included in Morris's Sept. 12, 1782, circular to all the governors. WL's copy has not been found. Refer to Ferguson, *Papers of Robert Morris*, 6:74–75).

3. WL's message was read in the New Jersey Legislature on November 8 and referred to a committee of the whole to be read with a tax bill (*General Assembly* [Oct. 22–Dec. 26, 1782], 22).

## Proclamation

September 28, 1782

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 by the blessing of Almighty God upon the persevering exertions of the United States against the barbarous attempts of Great-Britain to subjugate them to her tyranny and despotism, our contest for liberty and the unalienable rights of human nature hath been crowned with the most signal success, and these States are become a sovereign and independent nation. AND whereas it hath not only pleased the great and omnipotent disposer of all events at an early period in the present war so to influence the royal heart of his Most Christian Majesty (the protector of the rights of mankind) as to induce him to espouse our righteous cause by becoming our friend and ally, and by his powerful aid and magnanimous conduct to give both strength and lustre to our memorable conflict; but hath by his overruling providence lately disposed their High Mightinesses the States General of the United Netherlands to receive and acknowledge in due from, the Minister Plenipotentiary of the United States of America appointed to reside in that nation, the intelligence of which has been officially communicated to this State,<sup>1</sup> an event which enlarges the basis of our independence,

and leads to an immediate connection with a powerful republick, whose alliance a variety of circumstances render extremely desirable.

I have therefore thought fit, by and with the advice of the Honourable the Privy Council of this State,<sup>2</sup> hereby to announce and cause the same to be made known to the good people of this State, to the intent that they may officially and in solemn manner be notified of the amity subsisting between the two nations, and may, on all proper occasions, manifest to the subjects of the States General every due mark of friendship and respect, and give them all succour, aid and assistance agreeably to the law of nations respecting sovereign powers in amity.

Given under my hand and seal at arms, in Trenton, the 28th day of September, in the year of our Lord One Thousand Seven Hundred and Eighty-two, and in the seventh year of American independence.

WIL. LIVINGSTON

By His Excellency's Command,

BOWES REED

GOD SAVE THE PEOPLE.

*N.J. Gazette*, Oct. 2, 1782.

1. See Robert R. Livingston to WL, Sept. 15, 1782, for the official notification of the establishment of diplomatic relations between the United States and the United Provinces.

2. There is no record of this advice in the Privy Council Minutes (*NJA*, [Privy Council], 3d ser.).

### From the Chevalier de la Luzerne

Philadelphia, September 30, 1782

Sir,

I have the honor to inform your Excellency that in the confusion resulting from the capture of the King's frigate, *The Eagle*, there was a launch, armed with bronze cannons and carrying [a mast] and a sail, which was abandoned by the sailors who were on board.<sup>1</sup> It has since been seen in one of the creeks of Cohanzey or Salem. Captain Kean,<sup>2</sup> who seized it, maintains that it was an expatriated boat<sup>3</sup> that he took away, and under this pretext, has refused to return this launch. I have been informed that he was in haste to sell it. I am persuaded, sir, that

you will do all in your power to prevent this shipowner from increasing, by his refusals, the losses that are sustained by the vessels that have been sent to this coast for the protection of American commerce. And I beg you to please give orders for the restitution by the captain of this launch without delay since the frigate, *The Glory* needs it immediately. I have the honor to be with a respectful attachment, sir, your Excellency, your very humble and very obedient servant,

CHEVALIER DE LA LUZERNE

ALS, NN. Translation.

1. The *Aigle*, a French frigate commanded by the comte de la Touche-Tréville, was escorting the *Gloire*, the latter carrying passengers and supplies to the French troops in America. Upon their arrival at the mouth of the Delaware in mid-September, the *Aigle* was run aground and wrecked by the British. The comte de la Touche was taken prisoner but the *Gloire* and the passengers from both ships were able to escape (Ferguson, *Papers of Robert Morris*, 5:480).

2. Captain Nicholas Kean.

3. "batteau refuge" in the original.

### To George Washington

Trenton 4th October 1782

Dear Sir

The Chevalier de la Luzerne desires me to give the bearer Mr. Barbé a passport to bring from New-York some affects belonging to the Chevalier, & taken in the Frigate L'Aigle, which he intends Mr. Barbé shall purchase for him in New York.<sup>1</sup> I would not only most chearfully comply with his request from the reasonableness of it, but should take a particular pleasure in obliging the Minister of France, did not our Law which authorizes the Executive of this State to grant passes for effects coming out of the enemy's lines, require a description or specification of the articles, which Mr. Barbé cannot enable me to give, & without which my passport would rather expose the effects to seizure, than protect them against it.<sup>2</sup> And as he purposes to bring them from New york into Camp, where an Inventory, or at least such a description as may satisfy the Law, may be taken, & your Excellency having, by our Act, the same authority to grant passports for goods coming out of the Enemy's lines and conveyed thro' this State as our Executive, I think the

latter mode greatly preferable, & have therefore taken the liberty to recommend the Gentleman to your Excellency for that purpose.<sup>3</sup> I have the honour to be with the greatest Esteem Dear Sir your Excellency's Most obedient & most humble Servant<sup>4</sup>

WIL: LIVINGSTON

ALS, DLC:GW.

1. Probably Pierre Francois Barbé, the brother of Barbé-Marbois, the secretary to the French legation and consul general in Philadelphia. Barbé was dispatched to New York to repurchase the possessions of the chevalier de la Luzerne that were captured aboard the French frigate *Aigle* in September. See the Chevalier de la Luzerne to WL, Sept. 30, 1782, and refer to the Chevalier de la Luzerne to WL, Oct. 2, 1782. In addition, refer to the Chevalier de la Luzerne to Guy Carleton, Oct. 2, 1782, in *Report on American Manuscripts in the Royal Institution*, 4 vols. (Dublin, 1906), 3:148.

2. WL is probably referring to a New Jersey "Act to prevent Persons from passing through this State without proper Passports," passed June 10, 1779, which empowered WL, Washington, general officers of the Continental army, and congressional delegates of the states in which the traveller resided to issue passes to travel through New Jersey. See WL to Peter Fell, Jan. 11, 1780, 3:289.

3. WL had made this recommendation to the chevalier in a letter of Oct. 3, 1784. This letter has not been found, but see the Chevalier's reply to WL on Oct. 8, 1782.

4. No reply to this letter by Washington has been found. Sir Guy Carleton refused Barbé permission to enter New York, but did permit a New York resident to execute Barbé's mission. Refer to Sir Guy Carleton to the Chevalier de la Luzerne, Oct. 12, 1782, in *Report on American Manuscripts in the Royal Institution*, 3:165.

### From the Chevalier de la Luzerne

Philadelphia, [October] 8, 1782<sup>1</sup>

Sir,

I received the letter which your Excellency did me the honor of writing on the third of this month. I thank you for the attention you gave to my above requests for the transport, via New Jersey, of a part of the goods that I lost so that I can repurchase them.<sup>2</sup>

In reference to the launch, which prompted me to take the liberty of troubling you, sir, it has been returned; if I can take the word of the officers of the frigate who went to search for it, it was with bad grace that Captain Kean returned it. But it is possible that the difficulty in understanding them gave rise to this suspicion. Since this restitution did occur, there is no longer any reason to complain about this Cap-

tain.<sup>3</sup> I have the honor to be, with respectful attachment, Sir, the very humble and very obedient servant of your Excellency,

LE CHEVALIER DE LA LUZERNE

ALS, NN. Translation.

1. The original date line reads 8. 8. bre 1782.
2. See WL to George Washington, Oct. 4, 1782.
3. See the Chevalier de la Luzerne to WL, Sept. 30, 1782.

### From the Duc de Lauzun

Burlington, October 10, 1782

Sir,

I have the honor to inform your Excellency that his Excellency the President of Congress has desired that I arrest the woman Betty alias Irish Betty convicted of passing letters from Sir Guy Carleton to a few people of Philadelphia.<sup>1</sup> As a consequence of this requisition, I have ordered that this woman be arrested wherever she can be encountered by the patrol or the detachment of French troops by my orders. If this woman is arrested at Trenton or Burlington, she will be turned over to your Excellency; if she is arrested in Pennsylvania, I will have her brought to Philadelphia. I have attached a description of this woman.<sup>2</sup>

Your Excellency permitted me to inform him that I have not received the New York newspapers. I take the liberty of informing him that I have not received any since that of November 30th. I would appreciate it if your Excellency would be so kind as to inform me as to whom I should make the necessary remittance for payment of the newspapers. I have the honor to be, with respectful consideration, Sir, your very humble and very obedient servant,

B G DE LAUZUN

ALS, NN. Translation.

1. For an account of persons suspected of carrying correspondence to the British refer to Jacob Phillips to WL, July 14, 1781 (NN).
2. Lauzun's description of Betty was as follows: "A woman named Betty, sometimes Irish Betty, has a small scrawny face; is wild-eyed; has a shabby appearance; wears a dress of old red material, a black petticoat, and an old bonnet. She has a piercing voice; is around 50 years old; she always goes on foot wearing men's shoes; she wears white or

black gloves; has already been arrested several times. She feigns convulsions thereby managing to recapture her liberty. She uses much tobacco, & always carries a little snuffbox in her hand.

“The president of congress especially requests (in the event that we arrest this woman) that we snatch her from her home & that we turn her over to him. If she is arrested in Trenton, she will be sent to Governor Livingston: if she is arrested in Burlington, she’ll be sent to Philadelphia.”

### From Sarah Jay

Paris. 14. October. 1782

My dear Papa,

General du Portail’s<sup>1</sup> departure from Paris for America furnishes me with an excellent opportunity to write to my friends, but the notice which he has received from the Court of the sailing of the Vessel in which he is to embark is too short to admit of my writing to any body beside you my dear Sir.<sup>2</sup>

After two or three months indisposition I again begin to respire & my friends flatter me that my countenance begins to near the appearance of health. God grant that the appearances may not be fallacious. My dear Mr. Jay is still very much troubled with a pain in his breast if he does not soon obtain relief I shall be apprehensive for the consequences.<sup>3</sup> We are at present infinitely more agreeably situated than we have been since our arrival in Europe. Maria grows charmingly & amuses us exceedingly if we do not return to America next Spring the first language she speaks will be the french, but to that I’ve no objection since she’ll soon acquire the english in our own Country. I long beyond expression to see my son, & I owe you a thousand thanks my dear sir for the attention you have been so kind as to shew him. Will you add to the obligations you have already confer’d, by devoting a leisure hour to telling me exactly what you think of him? Favors do not sour me, for I can receive & confer them with equal pleasure.

I have lately received a letter from my dear Mama & I sincerely thank her for being so obliging as to gratify me. Present her if you please with my affectionate wishes for her happiness—& remember me to my brothers & sisters. I wrote William a long account of my Journey across the Pyranees & hope the letter has not miscarried.

The time allowed me for writing is almost expired & I will therefore

take leave of you my dear sir, in the words of Issac Onis to his friend Aaron Monica—Porte toi bien: vis content et heureux; et que le Ciel te comble de prosperites, te donne une sante parfaite, et te rend Vainqueur de tes ennemis.<sup>4</sup> Your affectionate daughter

I wish I had time to copy this letter. My haste [ . . . ] excuse.

ADf, NNC, Jay Papers.

1. Louis le Bègue de Presle Duportail.

2. John and Sarah Livingston Jay had left Madrid for Paris in the spring of 1782 after Jay's appointment by Congress as one of the peace commissioners to negotiate with the British in Paris. The appointment was prompted by the French, who wished to dilute the power of John Adams, considered an inflexible negotiator. Thus, in June of 1781 Congress named John Jay, Benjamin Franklin, Thomas Jefferson, and Henry Laurens as negotiators, along with Adams. Franklin was already in Paris, where he conducted preliminary negotiations with British representatives throughout the spring of 1782. Jay arrived on June 23, 1782; Adams on Oct. 26, 1782. Laurens did not join the negotiations until Nov. 29, 1782, and Jefferson, whose wife was ill, did not accept the appointment. In addition to expanding the commission, the pressure exerted by the French induced Congress to advise the peace commission "to undertake nothing in the negotiations for peace or truce without" the knowledge of the French "and ultimately to govern yourselves by their advice and opinion . . ." (*JCC*, 20:628, 638, 651, 653–54, 675–76). See WL to John Livingston, Aug. 22, 1782.

3. Both Sarah and John Jay had contracted influenza during their trip from Madrid to Paris.

4. "Take care of yourself: Live content & happy, and may heaven fill you with prosperity, give you perfect health and grant you triumph over your enemies."

### To Chevalier de la Luzerne

Trenton 17 October 1782

Sir

Returning this day from a visit to my family to the village I find myself honoured with your Excellency's favour of the 8th instant.<sup>1</sup> But I am confident that your Excellency, from your knowledge of Mankind, & of the motives that generally attach the less enlightened populace in all nations especially in republics so (perhaps too) republican as ours (in which the people have not the same incentives to glory as in Monarchies where the Sovereign is able to reward merit & to stigmatise dishonour with little more than a smile or a frown) will make the proper allowances & that you will be pleased to assure yourself that every real whig amongst us will never forget his obligations to his most Christian Maj-

esty for his most important agency in delivering us from the meditated subjugation of Britain. I can most heartily subjoin that if such whig were of my mind he would for ever oppose the least commercial intercourse with that fastidious & abandoned nation. He would do more. he would make his sons take the same oath respecting the English that Hamilcar caused Hannibal to take with respect to the Romans. This however Sir you may rely upon that with respect to myself (& I could wish it were the sentiment of all those whose Interest is of more importance to the common cause) that I shall most cordially hate the English & love the French considered in a national light as long as Providence shall vouchsafe to grant me sufficient strength to tell your Excellency or any other Gentleman in your Station that I have the honour to be with the greatest attachment your most obedient Servant

LBC, MHi. Sedgwick Transcription.

1. See the Chevalier de la Luzerne to WL, Oct. 8, 1782. The markings on this copy indicate that a portion of the original document between "instant" and "But" was not transcribed. Original not found.

### From Elias Boudinot

Philadelphia October 23d 1782

Dear Sir

I have long been of opinion that in all great Questions, which are agitated in Congress, especially relating to domestic Concerns, the Delegates from each State should consult their respective Constituents, when it may easily be done, at least as to general Principles.<sup>1</sup> The Legislature being now met, I must beg leave, through your Excellency, to state to them the leading facts of a very important and interesting Question now under the Consideration of Congress, and which is set down for determination on Wednesday next; on which I hope for the Legislatures Instructions; on such general Principles as will necessarily lead to the final determination. The dispute I refer to, is that of the People on the New Hampshire Grants, calling themselves the State of Vermont.<sup>2</sup> When I took my Seat in Congress,<sup>3</sup> I found this Controversy on the Table of Congress, having been submitted to their determination previous to the Confederation, by the States of New Hampshire & New York, and the People stiling themselves the State of Vermont,<sup>4</sup> on

the principles of the Confederation then in an incomplete, unfinished state. A Hearing was thereupon had before Congress, when the States of New Hampshire & New York produced many Documents in support of their different Claims, (Massachusetts one of the Claiming States, not attending but agreeing to relinquish their Right, provided the district was made an independent State) the first, founded on this Territory being within their Purchase under the Plymouth Company,<sup>5</sup> & long possessed by them—the second adding to a continual Claim the determination of the King in Council in the year 1764 in their favour founded on the Patent to the Duke of York. The People of Vermont urged their having been several Years independant de facto and in the exercise of sovereign Power<sup>6</sup> protested against any Power in the World interfering with it and insisted that their Boundaries only were submitted to the determination of Congress.<sup>7</sup> Thus the Business stood undetermined, when we were informed that Vermont had extended her Claim & Jurisdiction<sup>8</sup> Eastward into New Hampshire, where 51 Towns had voluntarily submitted to her Authority; and to the Westward, she extended quite to the North River—That the People were defending themselves against the States of New Hampshire & New York by force of Arms.<sup>9</sup> Soon after, we received authentic Intelligence that some leading People in Vermont, had met Commissioners from General Haldiman,<sup>10</sup> with whom Terms had been agreed on, for a Submission to Great Britain—That these Terms had been sent to the Commissioners for [Peace?] at New York for their Ratification, and by them to England for Instructions—That General Clinton laid great Stress, on this Measure, and had expressed Hopes thereby to conquer the Northern States.<sup>11</sup>

The peculiar Circumstances of this People and the danger of a civil War among ourselves, at a Time when we found difficulty enough, in carrying on the War against the Common Enemy; led Congress to leave the Ground on which the dispute, as submitted to them, then stood; and considering themselves the Guardians of the general Interests of the united States, and in duty bound to prevent every Injury to the union and particularly such as threatned their Existence as a Nation, took the matter up, in a general & extensive View & with the Consent of Nine States, passed the Resolutions of the 7th. & 20th. of August 1781.<sup>12</sup> The People of Vermont were then met in general Assembly, including representatives from the Eastern & Western Incroachments.

These together imprudently rejected the Terms proposed by Congress in those resolutions. But soon after, before any farther Steps taken by Congress, their Assembly again met, and by a public Act, relinquished & disclaimed<sup>13</sup> those Incroachments, thereby complying with the Terms proposed and immediately forwarded delegates to Congress.<sup>14</sup>

A Committee was accordingly appointed to Confer with these Delegates or Commissioners,<sup>15</sup> who reported to Congress, as appears by the Journals; but no determination on this report could be obtained, it being alledged that Congress was not bound by said Resolutions of August, and New York solemnly protested against the Power of Congress to determine otherwise than agreeable to & under the Submission, which also appears on the Journals.<sup>16</sup> Your Excellency will see the reports & Acts of Congress on the printed Journals, I left with the House last Fall.<sup>17</sup> The great Questions necessary for the Consideration of Congress, I conceive will be

- 1st. On the Submission of the said States, ought Congress to determine, any part of a former Colony (who have separated from the same, at the beginning of the revolution, and are in the active Exercise of an independant Sovereignty *de facto*) to be independant *de Jure* and receive them into the union as a fourteenth state.
- 2d. Can Congress as sovereign Guardians of the United States, when they Conceive the general Safety of the common Cause shall require it, recieve into the Union as a separate State, any Territory & People in the actual Possession of Sovereignty & Independance *de facto*, without examining into & determining<sup>18</sup> the Right & Title of such People *de Jure*.
- 3d. In the present State & Circumstances of the People styling themselves the State of Vermont, ought Congress to recieve them into the Union, as an independant State<sup>19</sup> agreeable to the resolves of 7th. & 20th. August 1781.
4. In Case Congress shall refuse to recieve them<sup>20</sup> (as is most likely) ought the Delegates of New Jersey to agree to the sending the Continental Army or a sufficient part thereof, in the said Territory, to subdue the Inhabitants to the obedience & Subjection of the State or States that claim their Allegiance.

In the past Altercations on these Subjects, your Delegates have generally considered the Congress as sovereign Guardians of the whole Union, and that they ought to prefer the general Good, to every private Interest of a particular State. That the shedding the Blood of our Citi-

zens, and all civil War among ourselves, at so critical a period, should be strenuously avoided—That a sovereignty & Independance *de facto*, was a sufficient reason under these Circumstances for Congress to admit into the Union, without examining into the Right *de Jure*,<sup>21</sup> agreeable to the strong reasoning of his most Christian Majesty, in his Answer to the Justificative Memorial of the King of Great Brittain, sent herewith.<sup>22</sup>

If your delegates have acted contrary to the Opinion of their Constituents, they wish to be set right, while it is in their Power to prevent any evil Consequences arising from it. We have reason to believe, that the Matter will certainly be brought on, on Wednesday next.

I have two Reasons for pressing the Sentiments of the Legislature on this Subject. 1st. It has been asserted, that we have been acting contrary to the opinion of our State.<sup>23</sup> 2ndly. I claim 1000 Acres of Land in this Territory under the Titles of New Hampshire & New York both, and altho I consider them as of but very trifling Value, yet it may hereafter be objected, that I was influenced by considerations, which I hope ever to despise.<sup>24</sup>

Your Excellency by laying this Letter before the Legislature,<sup>25</sup> and communicating their Sentiments will much oblige me.

I have also another Matter relative to the Interest of the State,<sup>26</sup> to lay before the Legislature, that I think worthy their Notice. The united States are looking forward to the calling in the Quota's of the States, of the Continental money. An Alarm has gone forth, that the State of Massachusetts has in their Treasury<sup>27</sup> so large a Portion of this Paper, that some of the defecient States will be obliged to purchase of her at a high Rate. I have lately discovered that Connecticut has sent an Express Messenger to Virginia & purchased a Sum equal to her deficiency, at a very low Rate indeed.<sup>28</sup> If our State has not made up her Quota, it would certainly be a prudent Step to appoint some Person to purchase the Sum wanting without delay. It can be now had in Virginia, at 5 or 600 for one.<sup>29</sup> It is my Duty to make this Communication, the Legislature will make such use of it, as they may think convenient. I have the Honor to be with great Respect & Esteem Your Excellency's Most Obedient Humble Servant

ELIAS BOUDINOT

This Letter was to go by Mr. Condit, but he left Town without acquainting me with it.<sup>30</sup>

ALS, NjP.

1. Boudinot's letter is published in Burnett, *Letters*, 6:522–25.
2. There was evidence before Congress of hostile acts committed by Ethan Allen's forces against residents of the New Hampshire grants loyal to New York. The charges derived in part from a letter from New York governor George Clinton to that state's congressional delegates, a deposition from Joel Bigalow, and a memorial from Charles Phelps of Cumberland County, the latter two read in Congress on September 23 and October 10, respectively. These letters were referred to committee. On October 17, the committee recommended that Congress order Vermont residents to halt such attacks (*JCC*, 23:596, 645, 663–64).
3. Boudinot was appointed delegate to Congress by the New Jersey Legislature on July 12, 1781.
4. In the *Lcy* (DLC:Force), the sentence ends here.
5. The *Lcy* omits "under the Plymouth Company."
6. The *Lcy* omits "and in the exercise of sovereign Power."
7. Boudinot summarized the rival territorial claims of New Hampshire, New York, and Vermont, and Vermont's application for independence, in his letter to WL of Aug. 25, 1781.
8. The *Lcy* omits "Jurisdiction."
9. The *Lcy* omits "agt. the States of New Hampshire & New York." On July 20, 1781, Congress ordered the New Hampshire citizens who had revolted to return their allegiance to New Hampshire and instructed Vermonters to relinquish their claim to this territory (*JCC*, 20:732, 770–72).
10. Frederick Haldimand, or Haldiman, was governor and commander of the British forces in Canada.
11. An intercepted letter of Feb. 7, 1780, from secretary of state Lord George Germain to Sir Henry Clinton, commander of British forces in New York, containing his intelligence, was read in Congress on July 31, 1781, and referred to a committee on Aug. 1, 1781. It was published in the *Pa. Packet* of Aug. 4, 1781 (Vt. Historical Society, *Collections*, [Montpelier, Vt., 1871], 2:93).
12. For a summary of these resolutions see Elias Boudinot to WL, Aug. 25, 1781.
13. *Lcy* omits "& disclaimed."
14. A letter of Nov. 20, 1781, from the governor of Vermont, Thomas Chittenden, containing a report of the proceedings of the Vermont Legislature on the congressional acts of Aug. 7 and 20, 1781, was read in Congress on Dec. 21, 1781 (*JCC*, 21:1166).
15. *Lcy* omits "commissioners."
16. Between Nov. 15 and 19, 1781, the New York Legislature adopted a series of resolutions setting forth the claim of New York to Vermont, and asserting that Vermont had not only rebelled against New York but had acted in contempt of Congress. A letter of Nov. 24, 1781, from New York's Governor Clinton was read in Congress together with these resolutions on Dec. 5, 1781 (Vt. Historical Society, *Collections*, 2:205–7; *JCC*, 21:1159–60).
17. *Lcy* here adds: "A late report I enclosed which is now to be the subject of Discussion on Thursday next."
18. *Lcy* omits "& determining."
19. *Lcy* reads "a seperate state."
20. *Lcy* reads "shall refuse such independence to these people."
21. *Lcy* omits "de Jure."
22. Boudinot is probably making an analogy between Vermont's position and that of

the United States in the peace negotiations. King George had recently proposed that a separate peace be negotiated with France, as reported by the French minister Chevalier de la Luzerne in his communication to Congress of Sept. 24, 1782. Louis XVI replied that according to the terms of his alliance with America he could not negotiate separately on its behalf; that he would continue to adhere to the terms of his alliance; and that Great Britain and the United States should open direct negotiations. For additional background on the peace negotiations see Sarah Jay to WL, Oct. 14, 1782 (*JCC*, 23:596–603, 632–33, 637–38).

23. New Jersey had consistently supported the independence of Vermont throughout 1782 (Burnett, *Letters*, 6:297–98, 309–11, 340–41, 490–91).

24. On May 1, 1782, James Madison had observed that while New Jersey was in favor of Vermont's independence, it opposed the western land claims of other states. For the most recent reference to WL's land holdings in Vermont see Robert R. Livingston to WL, Feb. 18, 1782.

25. Lcy adds "in Joint Meeting."

26. Lcy omits "relative to the interest of the State."

27. Lcy omits "in their Treasury."

28. Lcy reads "a sum equal to their Quota at several Hundred for one."

29. On Feb. 20, 1782, Congress had requested that the states appoint commissioners to settle their accounts with the United States, and on Sept. 18, 1782, that these commissioners collect and deface or destroy the states' quota of continental currency fixed on Mar. 18, 1780 (*JCC*, 22:84–5; 23:590). The states of Massachusetts and New Hampshire had collected more than their quota, which they planned to pay into the public treasury at the rate of forty to one as fixed by Congress on Mar. 18, 1780. On Oct. 25, 1782, the delegates of North Carolina protested that other states must then "make good their quota[s] by one silver Dollar instead of 40 such Paper Dollars" (Burnett, *Letters*, 6:526). For the most recent reference to the national currency crisis see "Caius" to the *N.J. Gazette*, Aug. 21, 1782. For reference to the states' debts see N.J. Legislature to Congress, Sept. 24, 1782.

30. Silas Condict. Lcy omits this sentence.

## To the Legislature

Trenton 28 Oct 1782

Gentlemen

I herewith transmit to the honourable House a Letter from his Excellency General Washington of the 23d instant<sup>1</sup> respecting the recruiting the Line of this State in such manner as to form two compleat Battalions of five hundred men each rank & file;<sup>2</sup> and also a Letter from the Secretary at war of the same date and on the same Subject,<sup>3</sup> together with a return<sup>4</sup> of the number of the men commissioned officers & private men belonging to this State now serving the United States.

WIL. LIVINGSTON

ALS, Nj.

1. Refer to George Washington to WL, Oct. 23, 1782 (DLC:GW).
2. See *JCC*, 22:451.
3. Refer to Benjamin Lincoln to WL, Oct. 23, 1782 (Nj). Lincoln noted that, since New Jersey already had eight hundred enlisted men, it should be relatively easy to raise the additional two hundred men necessary to form two regiments. If the men were not raised, Lincoln warned, soldiers from the New Jersey line might be reassigned to regiments from other states.
4. Return not found.

## To Alida Hoffman

Trenton 29 Oct. 1782

Dear Sister

I have this day received your Letter of the 21st instant desiring my pass to go into New York with Phillip in expectation of obtaining fifty pounds from Mr Hoffman & procuring some books necessary for Phillip's education, which you say are not to be purchased amongst us.<sup>1</sup> Be assured, my dear Sister that I feel for your situation. Neither you nor I live as we have been used to live with respect to the ease & affluence in which we were bred & in which we continued to live with the commencement of the present war. I know you are straightened & am terribly affected with your distress. Were in my power to assist you I would most chearfully do it tho' that is no part of the request you make in your Letter. But I can assure you that by the advantage which the knavish part of the Community have taken of some of our Laws in paying their Creditors with continental money & my utter inability to attend to my own private affairs, my personal estate is so reduced that I can scarcely Support my own family even in their present frugal manner of living.<sup>2</sup> Rather however than submit to receive one farthing of the debts due to me in the Enemy's lines, or to admit a single article of goods from that quarter into my house, I would with my own hands set fire to the building & smile at the conflagration.

According to the rule which I have presented to myself in granting passports to go into the Enemy's lines,<sup>3</sup> I have never granted that indulgence for the transacting of private business except in those cases in which it appeared impossible (from the establishment of the Enemy on the caution of the Law as in the case of house rent & legacies etc.) to procure the money but by personal attendance. This is not your case

because Mr. Hoffman may if he pleases send you the money almost every week of the year. As to the Books wanted for Phillip's education I am confident they may be had at Philadelphia; & if you will inform me of those which can any way be necessary for such a child, I will cheerfully provide him with them without any expence to you. I cannot avoid embracing this opportunity to acquaint you of the unspeakable mortification that you & my other friends at Baskenridge have from time to time given me by reducing me to the disagreeable necessity of refusing requests which I cannot in honour grant & which you know previous to your application must either be denied with regret or granted at the expence of my character. And to be still plainer with you & the family at Baskenridge, they have in fact done more to injure my reputation & to furnish my personal enemies with weapons against me than perhaps any twenty families in this State. Whenever any of them go into the British lines or receive their connections from thence it is presumed by the public to be with my passports & I have upon that supposition been charged some hundreds of times with partiality as a public officer to my relations by those to whom I have denied the like indulgence. This may be play to some but it is worse than death to me. I have been informed that your daughter Ogden<sup>4</sup> has been at Baskenridge in violation of the laws of this State, that Mrs Ricketts<sup>5</sup> has paid her father the like illegal visit & that Mrs Betsey<sup>6</sup> has had a jaunt to New York with the same contempt of our Laws. As the family therefore make it a matter of so little ceremony to insult our Laws or to sacrifice my Reputation they are perhaps less entitled than any one family in New Jersey to favour or indulgence from this Government & until I receive an explanation of their conduct in the instances enumerated they may easily conclude what will be that of Your affectionate Brother

LBC, MHi. Sedgwick Transcription.

1. Alida Hoffman had informed WL that she "ha[d] not werewithall to purshe my Winter Provisions" and that if WL would not grant her request, "The Lord knows what will become of me this Winter. . . ." Refer to Alida Hoffman to WL, Oct. 21, 1782 (NN).

2. For WL's most recent reference to his financial distress see WL to Judith Watkins, Aug. 22, 1782.

3. For WL's policy concerning passes for family members see WL to Robert Livingston, Apr. 22, 1782.

4. Sarah Ogden Hoffman.

5. Sarah Livingston Ricketts.

6. Possibly Elizabeth Livingston Otto.

## To the Legislature

October 30, 1782

Gentlemen,

The repeated Testimonies which the Representatives of this State have given of the Confidence they repose in me by electing me to so important an Office, cannot but excite the warmest Acknowledgement, nor fail of affecting, with the most agreeable Sensations, every Man who esteems the favourable Sentiments of the People as the highest Honour that can be acquired in a free and virtuous Republick.<sup>1</sup>

The Legislature may depend upon my making the publick Interest the grand Object of my most assiduous Attention, and I shall, in my Turn, rely on their Ingenuousness and Candour, to make all reasonable Allowances for involuntary Errors, and the Want of superior Abilities, as well as on their more particular Protection at a Time when vilifying or misrepresenting the Conduct of public Officers, is become the wretched Artifice of a desperate Faction, and the Arrows of Obloquy are industriously levelled at every patriotick Character, that vigorously exerts itself against the Malignant and Disaffected.

WIL. LIVINGSTON

*Joint Meeting, 55.*

1. For WL's reelection in 1781 see WL to the N.J. Legislature, Oct. 30, 1781.

## To Peter W. Yates

Trenton 9 Nov 1782

Sir

I have just now received your Letter of the 1st instant.<sup>1</sup> I am much obliged to you for your kind offer of boarding my son in case Mr. Yates should not take him, and to wait for the money till a future day. I have as you observe suffered greatly by the war; but I have some resources which many of my neighbours have not, & it would be no inconvenience to me to pay the board annually.<sup>2</sup> If I could get my son at Mr. Abraham Yates, it would be still easier to me, as I could discount his

board on a demand I have against him;<sup>3</sup> but I know not to ask it tho' Brockholst will try it: but on account of the advantage of your conversation on points of Law, I should prefer your house to any in Albany, if you could make it convenient to yourself. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NN.

1. In his letter of Nov. 1, 1782, Yates had urged WL to send his son Brockholst to Albany to enter apprenticeship at law with Yates as soon as possible, and had offered to board him at his own home. Refer to Peter W. Yates to Henry Brockholst Livingston, Nov. 1, 1782 (Nj).

2. According to Yates's letter to WL of Sept. 14, 1782, the annual boarding fee would be £45. Refer to Peter W. Yates to WL, Sept. 14, 1782 (NN). Yates had earlier offered to waive the fee for superintending Brockholst's study of the law, but WL had refused. See WL to Peter W. Yates, Aug. 19, 1782.

3. WL had himself stayed with Abraham Yates as a guest without paying boarding fees. Refer to WL to Peter W. Yates, Nov. 4, 1782 (NjMolIp).

### Message to the Assembly

Nov. 21, 1782

Gentlemen

Prompted by the principles of humanity, & jealous of the honour of this State, I cannot refrain from recommending in the most importunate manner, the pitiable situation of the prisoners mentioned in Chief Justice Brearley's representation herewith transmitted to the honourable house.<sup>1</sup> True it is that the Citizens of this State in captivity with the Enemy, have suffered inexpressibly greater hardships from British barbarity than the Sufferers in question do at present in our Gaols. But as we have ever complained of such rigorous treatment on the part of the Enemy, it is to be presumed that we scorn to imitate what we have always condemned in others. Considering moreover that Since the arrival of General Carleton Americans in the power of the Enemy have been treated with greater lenity than heretofore, there is the less excuse for our exposing our prisoners of war to the hazard of perishing by *cold & hunger*, unless it is expressly intended by way of retaliation: For this indeed I have always been an advocate from the persuasion of its tendency to produce in the final result a contrary conduct in the delinquent & as

being in that view of the matter tho' distressing to Individuals *humane* upon the whole.<sup>2</sup> I would therefore earnestly recommend to the honourable house to make such provision for the prisoners of war in our possession as shall be consistent with the principles of humanity & the honour of the American nation whose glory it has hitherto been to triumph over its Enemy not only by force of arms but by the virtues of humanity. I would embrace this occasion for recommending to the honourable house the necessity of appointing a State Commissary of Prisoners.<sup>3</sup> We have in our jails a considerable number of prisoners of war captured by our cruisers & others who are an expence to the State & might be exchanged for our citizens now languishing in captivity with the Enemy but for want of a person authorized for that purpose, the former remain a burden to us; & the latter continue in misery in New York.

LBC, MHi. Sedgwick Transcription.

1. David Brearley, chief justice of the New Jersey Supreme Court. Letter not found.

2. WL's views on the expediency of retaliation had been made clear in his letter to Robert Ogden, Jr., of May 8, 1780, 3:377. For descriptions of the conditions of American prisoners see Abraham Skinner to WL, Sept. 9, 1780, and Azel Roe to WL, Jan. 29, 1782. See also Joanna Halsted to WL, July 22, 1780. For the most recent reference to prisoner exchanges see Sir Guy Carleton to WL, June 12, 1782.

3. Abraham Skinner, the former commissary of prisoners, stated in October 1782 that he had not been able to draw rations for American prisoners of war since the preceding January, and complained that the present commissary of prisoners, Lt. Col. William Stephen Smith, had no power to exchange or attend to the needs of the prisoners from New Jersey. Refer to Abraham Skinner to WL, Oct. 8, 1782 (NN).

To reduce departmental expenses, Congress had resolved on July 24, 1782, to reorganize several departments, including the Office of Commissary General of Prisoners. All appointments made by the commissary were repealed, and George Washington was empowered to appoint a commissary of military and marine prisoners. The secretary of war, Benjamin Lincoln, was to appoint assistants to superintend and negotiate exchanges of prisoners of war (*JCC*, 22:413–14). Skinner resigned his post on Aug. 22, 1782, but was asked by Washington to continue functioning as commissary general of prisoners until accounts could be settled. On Sept. 22, 1782, George Washington appointed Lt. Col. William Stephen Smith as commissary of prisoners to the army; and on December 11 had appointed George Turner as commissary of marine prisoners (Fitzpatrick, *Writings of Washington*, 25:53, 133–34, 185–86).

## To Monsieur de Marbois

Trenton 25th Nov. 1782

Sir

It is with great reluctance that I find myself so far compelled to trespass upon your good nature & politeness as to apply to you for an explanation of some terms of [art?] in the treaty between France & America.<sup>1</sup> The Legislature of this State have directed a compilation & new publication of all the laws of New Jersey that have been passed since the revolution, & which are now in force.<sup>2</sup> The Compiler of the work intends for the benefit of the less intelligent readers to explain by way of annotation, the more difficult words that occur in any of the acts. Being totally unacquainted with the French language he has addressed himself to me to favour him with the true idea intended to be conveyed by these three terms in the Law Treaty, *Aubains, Droit d'Aubain & Droit de Détraction*.<sup>3</sup> I have a confused Idea of the literal meaning of these words, supposing that by the first is meant *Strangers* or *foreigners* in France, by the second the right that the Crown has to the effects of those Foreigners who die in the realm by way of Escheat & by the third custom duties due to the King from Strangers. But as they are technical terms & must have certain legal appropriated & determinate Ideas annexed to them in France I do not pretend to be able to explain their precise import. For this explanation I shall therefore think myself under particular obligations to you Sir, confiding in your civility & politeness to excuse the trouble which I have taken the liberty to give you on this Occasion. I have the honour to be with great esteem & respect.

LBC, MHi. Sedgwick Transcription.

1. The Treaty of Amity and Commerce was concluded, along with a Treaty of Alliance, in Paris in February 1778 and approved by Congress in May 1778 (*JCC*, 11:419–55, 457, 459).

2. See *General Assembly* (Oct. 22–Dec. 26, 1782), 31, 40; *Legislative Council* (Oct. 22–Dec. 26, 1782), 17, 20.

3. WL refers to article 11 of the treaty which states that inhabitants of the United States shall “be exempted from the droit d’aubaine,” whereby all the goods of foreigners who die while in France belonged to the king, even if the heir was present. The same article exempted heirs from all duty called droit de détraction, the right by which a sovereign appropriates a part of the property inherited by a foreigner. Congress recommended

to the legislatures of the separate states in January 1780 that they confer like privileges to French citizens as the Treaty of 1778 granted to Americans. The New Jersey Legislature acted on Congress's recommendation and passed "An Act to declare and ascertain the Privileges of the Subjects of His Most Christian Majesty, residing within this State" (*Acts* [May 24–June 28, 1781], 72–3; *JCC*, 16:56–7). For application of this act see WL to Chevalier de la Luzerne, Nov. 15, 1779, 3:218–19.

### From Henry Brockholst Livingston

Albany 28 Nov. 1782

My dear Sir

I arrived here on Saturday last. Mr. Yates received me very politely, & treats me with a great deal of attention. He has three Clerks to do his writing business, which will relieve me from the drudgery of the Office. My lodgings are near him. He chose them for me, and on terms more reasonable than we expected. I am to pay £40 exclusive of Candles, washing and wood.<sup>1</sup> It would have been very inconvenient for Mr. A. Yates to have taken me. His Son in law's family occupy the spare part of his house. Mr. P. Yates has advised me to delay a little the delivery of your letter to that Gentleman. He knows him to be unable at present to make any advance, & having just put in suit a bond of £250 on his behalf, he has promised to inform me when he receives the money, which he thinks will be soon.<sup>2</sup>

Mr. Vischer expects there will be no difficulty in getting your money from Mr. Duncan—he has written to him on the subject.<sup>3</sup> This supply I hope will be sufficient until we see each other again.

General Ten Broeck is not in town— but by what I hear respecting the state of Uncle Phil's affairs, there appears but too little probability of getting any thing from that quarter until his Son arrives from Jamaica.<sup>4</sup>

If I do not write often, you must attribute my silence to a dearth of material, & to an unwillingness to put you to the unnecessary expence of paying for Letters, which can only assure you of the affection with which I am Your dutiful Son

BROCKHOLST LIVINGSTON

ALS, NN.

1. See WL to Peter W. Yates, Nov. 9, 1782.
2. In his letter to Peter W. Yates of Nov. 9, 1782, WL noted that Brockholst would try to collect Abraham Yates's debt to WL.

3. Matthew Vischer had asked WL for permission to prosecute John Duncan, saying that Duncan had delayed repayment of his bond to WL until money was "greatly depreciated." Refer to Matthew Vischer to WL, Oct. 12, 1782 (NN).

4. Abraham Ten Broeck, brother-in-law of WL's late brother, Philip Livingston, and one of the executors of Philip's estate. See WL to Catharine Livingston, Apr. 21, 1781. Philip's son, Philip P. Livingston of Jamaica, was expected to arrive in New York after a truce between the United States and Great Britain was negotiated. See WL to John Livingston, Aug. 22, 1782.

### From Monsieur de Marbois

Philadelphia, December 1, 1782

Sir,

Today I received the letter which your Excellency did me the honor of writing on the 25th of last month.<sup>1</sup> I beg you to be convinced that one can not be more flattered than I by the trust you have in me by asking for explanations of the terms which are in Article XI of the Treaty of Commerce between the King and the United States. I will always consider requests of this nature or any other that you decide to make to me as indicative of goodness.

"Aubain" refers to a foreigner born in another kingdom or state. Low Latin provides us with this word which is derived from "Alibi Natus: jus Albaragii."<sup>2</sup>

"Droit d'aubaine" is the law of succession concerning foreigners who die in the kingdom of France leaving behind no legitimate children. It also consists of succession to foreigners who albeit naturalized in the kingdom have not disposed of their property among living persons or by will and who have not left any relatives who are native or naturalized subjects.

Finally it consists in granting the right of inheritance to Frenchmen who, residing in a foreign country, have received naturalization papers and who have thereby renounced their country.

The Treaty of Commerce abolishes all these restrictions imposed upon individual properties without prejudice to the laws either contracting power could make to prevent emigration.

You see, sir, that by these details you have a solid idea of what is meant by the words "aubain" and "droit d'aubaine."

As to "Droit de Détraction," it is unknown in France, but it exists in Germany. It is a tax on the goods of a subject who leaves his country and sells his possessions in order to go to another, or on the inheritances

initiated in a country to the benefit of an inheritor or a legatee residing in another country. It is 1%, sometimes 2, 3% or more and can be as high as 10%. In the treaties on the abolition of the “Droit d’aubaine” between the King and the German Princes, several of the latter reserved for themselves the privilege of collecting the “Droit de Détraction” and it has become customary in the treaties regarding the abolition of the “Droit d’aubaine” to insert the “Droit de Détraction” and this stipulation can be found in overabundance in the Treaty of Commerce even though this right is unknown in France and the United States. With profound respect, sir, of your Excellency,<sup>3</sup> The very humble and very obedient servant,

DE MARBOIS

ALS, NN. Translation.

1. See WL to Marbois, Nov. 25, 1782.
2. “Alibi Natus” is classical Latin and means foreign born. The latter phrase is probably low Latin and means by right of foreign birth. Although “Albaragii” is not found in any Latin dictionary, the word appears to be a possible variant of a number of Latin terms implying foreign born. Refer to the etymological discussion of the word “Aubain” in Littré’s *Dictionnaire De La Langue Francais*.
3. For WL’s reply thanking Marbois for his help refer to WL to Marbois, Dec. 12, 1782.

### To Baron van der Capellen

Trenton, 2 December 1782

Sir.

From your love of the Sciences which so greatly conduce to human happiness, & your regard for the promotion of virtue, without which Literature frequently proves a mischievous weapon in the hands of its possessor, I am emboldened to address you upon a subject, not a little interesting to our infant Republics, and to recommend to your notice an institution well adapted to impart both lustre and stability to that Liberty and Independence, for which you have so long been an illustrious powerful champion.

For this purpose I take the freedom to introduce to you the honourable John Wheelock Esquire President of the University of Dartmouth in the State of New-Hampshire on the Eastern bank of Connecticut river, and son of the late venerable Doctor Wheelock, who died in that

office & whose death was probably accelerated by his indefatigable exertions to promote the arduous enterprize. With the benevolent design of civilizing and christianizing the native Indians of this Country, & to promote humanity, literature, & piety, he began this Institution under the auspices of benefactions in England, carried it on with good success, & to great public utility.<sup>1</sup> But to those benefactions the war between Great Britain & these United States put a period, before that generous enterprize had ripened into maturity.<sup>2</sup> Since that event, his son, the bearer of this Letter, who is of a very honourable & respectable Family, animated with his fathers ardor in the prosecution of the same pious Design; is now soliciting new Donations to that rising & promising Seminary of knowledge & virtue; & to that end, is authorized and intrusted by its trustees to solicit benefactions in France & Holland, in order to perfect so laudable an undertaking, which I have not the least doubt, you will countenance so far, as you shall conceive it to merit your well patronaged encouragement.<sup>3</sup> The Gentleman himself is able more amply to instruct you in origin, the Progress & the present State of this seat of the Muses, shall I say, or rather this Temple dedicated to Religion, & the cause of Liberty and Independance?

I have not been honoured with a line from you since our happy alliance with the United Netherlands,<sup>4</sup> on which auspicious occurrence I most heartily congratulate you, & the more especially as I persuade myself that you are able to say respecting that fortunate event: *quorum magna pars fui*.<sup>5</sup> With the most respectful esteem & attachment I have the honour to be your most humble & very obedient servant,

WIL. LIVINGSTON

*Brieven*, 391–93.

1. Dartmouth College had been founded in 1769. See WL to Thomas McKean, Nov. 29, 1781.

2. Eleazar Wheelock, in 1765, had collected £12,000 in England and Scotland from private benefactors for his missionary activities. By 1774, however, the fund was exhausted. Eleazar died in 1779.

3. John Wheelock visited France and Holland in his search for funds but was unsuccessful. He was able to obtain limited sums in Scotland as well as local funding from the New Hampshire Legislature, private contributions, and a lottery.

4. See Robert R. Livingston to WL, Sept. 15, 1782. For Baron van der Capellen's last communication, see his letter to WL, Aug. 15, 1781.

5. *quorum magna pars fui*: of which I was the great part.

## To Alida Hoffman

Trenton 3d December 1782

Dear Sister

I have received your Letter of the 27th of last month.<sup>1</sup> I would gladly oblige you in your request of laying the State of the case that accompanied your Letter before the Judges for their opinion could it be done with propriety. But it is utterly inconsistent with the duty of Judges to give extrajudicial opinions that is opinions on Cases that do not come before them in a court of Law, because that is considered as prejudging a case that afterwards came judicially before them. For the Same reason I cannot give you my own Opinion (which I should otherwise readily do) considered as one of the Judges in the Court of Errors,<sup>2</sup> & as Chancellor of this State,<sup>3</sup> in which I ought to know nothing of a controversy till it be legally Submitted to me. With my respects to the family at Baskenridge I am

LBC, MHi. Sedgwick Transcription.

1. In her letter to WL of Nov. 27, 1782 (NN), Alida Hoffman asked for WL's opinion on a disagreement over a debt contracted on May 2, 1777.

2. WL was the presiding judge in the New Jersey Appellate Court as well as chancellor. For previous mention of the appeals court see WL to Abraham Clark, Dec. 30, 1778, 2:524–26.

3. For previous correspondence relating to the chancery court see WL to the Assembly, June 7, 1782.

## From Elias Boudinot

Philadelphia December 4th. 1782

Dear Sir

Having an Account of a very dangerous Correspondence carrying on from this City to New York, am under a necessity of soliciting your Excellency to give all the aid in your Power to detect the Person who passes between the two Cities as the Messenger. Her description is enclosed, and it is expected that she will return from New York, this or next week.<sup>1</sup>

I have taken the proper Measures here, in Case she should escape the Vigilance of those who may be used by your Excellency on this Occasion.

Not a Word of News that can be depend[ed] on, except the fall of Government Bills of Exchange in New York to 7 below par, the reason for which is not at present known.<sup>2</sup> I have the Honor to be with great respect Your Excellency's Most Obedient Humble Servant

ELIAS BOUDINOT

ALS, NN.

1. For a description of the messenger, Irish Betty, see Duc de Lauzun to WL, Oct. 10, 1782, n. 2.

2. Boudinot probably means 7 percent. See John Covenhoven, David Forman, and Thomas Henderson to WL, July 20, 1782, for an example of Robert Morris's speculation in bills of exchange in New York City. Refer to Ferguson, *The Papers of Robert Morris*, 6:150, 365, 429, for further difficulties Morris had in selling bills of exchange to the American merchants. These bills were drawn on that portion of the French loan which remained in France (*JCC*, 20:557–59, 597–98, 674; 22:290–92).

### To Elias Boudinot

Trenton 6th December 1782

Dear Sir

I am honoured with your Excellency's Letter of the 4th instant.<sup>1</sup> If Irish Betsy should attempt to return to Philadelphia by the Post road, thro' this State (which I fear she will not) I think I have taken such measures as promise fair for her apprehension;<sup>2</sup> and if she is taken, her fits whether counterfeit or real will not save her pincushion. I have the honour to be with great respect your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, NN.

1. See Elias Boudinot to WL, Dec. 4, 1782.

2. See Duc de Lauzun to WL, Oct. 10, 1782. The treatment of spies varied. Charlotte Latima, a Canadian suspected of being a British agent carrying dispatches between New York and Pennsylvania was apprehended and sent to Philadelphia for detention in the state prison. Refer to WL to Joseph Reed, June 7, 1779 (*Pa. Archives*, 1st ser., 7:474), and see WL to Joseph Reed, June 11, 1779; WL to Joseph Borden Sr., June 12, 1779; and Joseph Reed to WL, June 17, 1779, 1:110–111, 116–17. For accounts of the trials, con-

victions, and subsequent executions of British spies John Moody and Lawrence Marr, see Richard Peters to WL, Nov. 13, 1781, and refer to *JCC*, 21:1109; *Royal Gazette*, Nov. 21, 1781; *Moody's Narrative*, 46–52; and Sabine, *Loyalists of the American Revolution*, 2:48.

## To the Assembly

Trenton 9 December 1782

Gentlemen

I herewith lay before the honourable House a Petition to me from several of the Citizens of this State now in captivity with the Enemy, in the English Prison Ship called Jersey.<sup>1</sup> The sufferings of these unfortunate men (which perhaps they dare not describe in their true colours, as all their representations must undergo the inspection of the Enemy) deserve your most serious attention. If a Commissary of Prisoners should be appointed, during the present sitting for the exchanging the Citizens of this State in captivity with the Enemy, I trust that the honourable House will make sufficient provision to enable him to supply their necessities while unexchanged.<sup>2</sup> As God only knows to what period, the present war may be protracted, how can it be expected (even putting humanity out of the question) that any of our Citizens should venture themselves upon the Ocean, when they have reason to dread captivity, from what they themselves or others have already experienced in that Situation, worse than death itself?

WIL. LIVINGSTON

ALS, Nj.

1. The petition had been enclosed in a letter from Abraham Skinner to WL (Dec. 5, 1782 [NN]). Despite Skinner's resignation as commissary general of prisoners, he continued to receive applications for the exchange of prisoners. See WL to the Assembly, Nov. 21, 1782.

The *Jersey*, moored in Wallabout Bay in Brooklyn, had become the most notorious of all the British prison ships. The contemporary accounts of Silas Talbot, Ebenezer Fox, and Thomas Andros in 1780–1781 described the prevalence of disease and vermin, the scarcity and bad quality of food and clothing, the brutality of the guards, and high mortality rates. Thomas Andros in 1781 noted that “When I first became an inmate of this abode of suffering, despair and death, there were about four hundred prisoners on board, but in a short time they amounted to twelve hundred, and in proportion to our numbers the mortality increased.” Refer to Thomas Andros, *The Old Jersey Captive, or a Narrative of the Captivity of Thomas Andros* (Boston, 1833).

The Continental Congress received contradictory reports on the condition of American prisoners on board the *Jersey*. On Feb. 2, 1781, Washington received a report from the

*Jersey* in which the prisoners testified to kindly treatment and the regularity and quantity of food issues and stated they were not crowded. The letter was referred to Congress on Feb. 13, 1781. See Capt. George Dawson to George Washington, Feb. 2, 1781 (DLC:GW, 46, 88). On May 18, 1781, a committee of the Continental Congress reported receiving a letter from John Snyder, former commander of the privateer *Fame*, complaining of severe treatment (*JCC* 20:517), and on July 25, 1781, reported the receipt of another letter from William Walters and other prisoners on the *Jersey* with similar complaints of harsh usage (*JCC*, 20:787). On Nov. 18, 1782, a congressional committee stated that they had considered the memorial of naval prisoners on the *Jersey* dated Feb. 14, 1781, praying to be exchanged, and had decided that Congress had already taken sufficient measures to establish a general cartel to effect prisoner exchange (*JCC*, 22:76).

2. For WL's recommendation that New Jersey appoint a State Commissary of Prisoners see WL to the Assembly, Nov. 21, 1782. No action on the matter was taken at the first sitting of the seventh New Jersey General Assembly (*Acts* [Nov. 6–Dec. 26, 1782], 3–28).

### From Elias Boudinot

Philadelphia, 11th December 1782

Dear Sir,

As one of your Delegates in Congress I have the honor to inclose to your Excellency, for the information of the Legislature, a copy of some resolutions of Congress lately passed, relating to Vermont.<sup>1</sup> I think this necessary, that the Legislature may be informed from time to time of what passes relative to that people, as I am very apprehensive matters are becoming very serious with regard to them. We have had late advices that the enemy are tampering with them; and I shall be glad if nothing important is already effected with some of their principal Men.<sup>2</sup> I inclose a copy of a declaration of one Christopher Osgood, which it is said relates to the conduct of some of the people who adhere to the State of New York,<sup>3</sup> but this is not certain.

The News from Gibraltar is confirmed. I trouble your Excellency with a copy of a letter from our Agent at Cadiz on this subject.<sup>4</sup>

General Greene writes on the 11th ultimo "that the evacuation of Charles Town will not take place till the 20th. or 21st.<sup>5</sup> The enemy are in readiness to embark, and have got transports sufficient to carry them off; but it is said they are waiting for Admiral Pigot to convey them to the West Indies."<sup>6</sup> I have the honor to be, with the highest respect and esteem, Sir, Your Excellency's Obedient & very humble Servant

ELIAS BOUDINOT

P.S. Not being able to enclose the Declaration of Osgood, as I intended must defer it till next Post. We have had a hint that a Letter was lately intercepted in our State from [the] late General Lee to the People of Vermont.<sup>7</sup> If so & it is in your Excellency's Power, should be glad of a Copy of it. Every thing relating to that People grows more important.

ALS, NN.

1. Enclosures not found. Boudinot probably forwarded congressional resolutions passed Nov. 27 and Dec. 5, 1782. On Nov. 27, 1782, Congress resolved to empower Washington to apprehend Luke Knoulton and Samuel Wells of Vermont for carrying on a treasonous correspondence with Great Britain. On December 5 Congress resolved that Vermont was to pay damages to residents harassed for professing allegiance to New York, and that it would enforce compliance (*JCC*, 23:756, 760, 765–67). For previous congressional deliberations on Vermont see Elias Boudinot to WL, Oct. 23, 1782.

2. For the most recent account of Vermont's negotiations with Great Britain see Elias Boudinot to WL, Oct. 23, 1782 (DLC:GW, 1579, 1588, 1591, 1595, 1613, 1807–8, 1830, 2022, 2023, 2132, 2160; Fitzpatrick, *Writings of Washington*, 23:432; 24:198, 337–39, 449–50; 25:216).

3. Christopher Osgood of Brattleboro, Vt., had declared on Nov. 13, 1782, that Knoulton and Wells had corresponded with William Smith, Jr., former royal chief justice of New York. Washington enclosed a copy of the declaration in his letter to the president of Congress of Nov. 19, 1782 (Fitzpatrick, *Writings of Washington*, 25:350–51).

4. On Oct. 25, 1782, Richard Harrison, an American envoy stationed in Cádiz, notified Congress that a British fleet under Lord Howe had successfully repulsed a combined effort by French and Spanish naval forces to lay siege to and take Gibraltar (Fitzpatrick, *Writings of Washington*, 25:441; Wharton, *Revolutionary Diplomatic Correspondence*, 5:783–85). Refer also to Extract of a Letter from Cádiz, Oct. 25, 1782 (NjHh). For previous reports of Spanish naval harassment of the British at Gibraltar see Henry Brockholst Livingston to WL, Dec. 1, 1781, and Henry Brockholst Livingston to WL, Sept. 16, 1781.

5. Letter not found. The British evacuated Charleston on Dec. 14 and 15, 1782.

6. Adm. Hugh Pigot, commander in chief of Britain's West Indies fleet. On Oct. 24, 1782, Pigot had sailed from New York for Barbados. Early in 1783, the Charleston transports were sighted en route to Jamaica.

7. Perhaps Gen. Charles Lee, who died in Philadelphia in 1782. Letter not found. Arthur Lee, however, who died in 1792, served on congressional committees to consider Vermont's admission to statehood. Refer to Arthur Lee to James Warren, Apr. 8, 1782, and Arthur Lee to Samuel Adams, Apr. 21, 1782 (Burnett, *Letters*, 6:326–31).

To Elias Boudinot

Trenton 13th. December 1782

Sir

I have had the honour of your Excellency's Letter of the 11th instant.<sup>1</sup> The resolutions of Congress inclosed in it, I have read in the Council,

having before laid a copy of them before the Legislature, with which I had been favoured by Mr. Clark.<sup>2</sup> This alone is sufficient to show that it would be better for our Delegates upon such occasions, to act in Concert, which is certainly more official than an individual & independent application.

I am much obliged to your Excellency for the extract of the letter from Cadiz of the 25th of October.<sup>3</sup> The disappointment of our Ally and of Spain in the relief of Gibraltar is a mortifying occurrence; but it is to be hoped that if it should serve to cure the latter of their vehement passion for that unmanageable Hobby horse; & in consequence of it, induce them to direct their operation to the British Islands in the West Indies where they would probably be crowned with success, it may finally prove a fortunate event to the United States. I have the honour to be with great Esteem your Excellencys most humble & most obedient Servant

WIL: LIVINGSTON

ALS, NjR.

1. See Elias Boudinot to WL, Dec. 11, 1782.
2. Refer to Abraham Clark to WL, Dec. 7, 1782 (NN). The minutes of the New Jersey Legislative Council, 7th session, 1st sitting, Dec. 7–13, 1782 (pp. 24–26), do not record a reading of these resolutions.
3. Refer to Extract of a Letter from Cádiz, Oct. 25, 1782 (NjHi).

From Sarah Jay

Paris December 14th. 1782.

14 months have elaps'd since the date of The last letter I've received from you my dear sir<sup>1</sup> & I leave you to judge of the effect which so long a silence must have had on my sensibility. I endeavor to soothe my anxiety by flattering myself with hopes that I am not forgotten, that you have wrote but that my disappointments have arisen from accidents at sea or some other casualties; for far rather would I impute inconstance to all the elements than believe that the smallest particles adheres to my dear Papa. Perhaps I've fatigued you with my letters for I remember at one time sending you four in one packet & several I've troubled you with since. This last year has been the most barren to me of the pleasures of correspondence I've known since I left America. I wish indeed

a very considerable course of it had been less serious, I mean the indisposition of my dear Kitty, which has prevented her from writing as frequently as her good-nature would have prompted her.<sup>2</sup> At present my dear sir those Clouds which have long obscur'd the serenity of our distress'd Country begin to disperse & give rise to the pleasing expectation of brighter days. The dawn of peace seems to approach for the Court of Great Britain has accorded to the American Commissioners the most honorable terms to take effect when the terms for Peace are agreed to by France & England.<sup>3</sup> Permit me to congratulate you on this happy event. Mr. Jay begs to be remembered to you in the most friendly manner. He has not either been favor'd with a line from you I believe this year. I think his health is a little improv'd since this attainment of that great object I've just mention'd, & I hope that if it should be succeeded by a little suspension from business it will continue to amend for there is still great room for it. A cruel pain in his breast has render'd writing tho' absolutely necessary very irksome to him. Myself & my little girl thrive tolerably well at present. Please to remember us affectionately to my dear mama & condescend my dear sir to convince me by a few lines that you still remember your affectionate & dutiful daughter

ADf, NNC.

1. See WL to Sarah Livingston Jay, Aug. 21, 1781.
2. Catharine Livingston was plagued by recurring bouts of fever throughout the fall of 1782. Refer to Robert Morris to John Jay, Jan. 3, 1783 (Morris, ed., *Unpublished Papers of John Jay*, 2:593).
3. To ensure that American independence would not be used as a bargaining chip in negotiations between Britain and France, American and French negotiators decided that all of Britain's adversaries would negotiate separately with that country and arrive at individual preliminary treaties prior to the signing of a general peace. On Nov. 30, 1782, the first preliminary treaty was signed between Britain and the United States. In it the British king acknowledged the United States to be free, sovereign, and independent. The boundaries of the new country were to approximate the present-day United States east of the Mississippi River, except for west and east Florida. Areas along the northern border would remain in dispute into the nineteenth century. The treaty guaranteed free and open access to the Mississippi River from its source to its mouth for both parties though it would not be known whether Spain or Britain would control the eastern bank of the mouth of the Mississippi until a preliminary treaty between those two countries was signed. In fact, in a secret article of their treaty, the Americans and British agreed that should Britain recover West Florida, the northern boundary of that province was to be at the 34th parallel instead of the 31st parallel, should the province remain in Spanish hands.

In addition to settling borders, the preliminary treaty guaranteed access to the Newfoundland fisheries to Americans, though it placed restrictions on the rights of Ameri-

cans to dry and cure fish in territory held by the British. In respect to the issue of debts incurred before the war, the treaty stipulated that no lawful impediments were to be placed in the way of their recovery.

Compensation to Loyalists had been a paramount issue to the British, delaying their ratification of an agreement. Since confiscation of Loyalist estates was in the jurisdiction of the separate states, the treaty could only provide that Congress should recommend to the state legislatures the restoration of all confiscated estates, rights, and properties belonging to "real British subjects" and to residents in areas occupied by British troops who had not borne arms against the United States.

Finally, the treaty stipulated that there would be a perpetual peace between Great Britain and the United States, that all prisoners would be freed, and that the British would withdraw from American territory. The last article nullified any conquest by British or American troops of territory held by the other which might occur before the arrival of the treaty in America.

### From Henry Brockholst Livingston

Albany 14th December 1782

My dear Sir,

I had the pleasure of writing to You the week before last.<sup>1</sup> Since that I have delivered your letter to Mr. Abraham Yates. He was not less surprised at the Contents than I was at the answer he returned me. It was, in short, that he had discharged the bond above six years ago into the hands of Mr. Hicks. He writes you this Post on the subject.<sup>2</sup>

Mr. Visscher has received an answer from Mr. Duncan but no money. That Gentleman conceives it very hard that he should be dunned at a time of so great a scarcity of money. This is so paltry an excuse for so rich a Man, that I have desired Mr. Visscher to proceed agreeable to the directions of your letter, unless Mr. Duncan discharges the note with Interest immediately.<sup>3</sup>

I am much pleased with Mr. Yates's mode of Instruction. It will be my own fault if with such help I do not make some progress in the study before me. I am my dear Sir, Your very dutiful Son

BROCKHOLST LIVINGSTON

ALS, NN.

1. See Henry Brockholst Livingston to WL, Nov. 28, 1782.

2. Refer to Abraham Yates, Jr., to WL, Dec. 8, 1782 (NN). Yates additionally wrote on Feb. 3, 1783, stating that he sent WL a receipt of an affidavit from Whitehead Hicks proving that Yates had discharged his bond to WL in Hicks's presence. Refer to Abraham Yates, Jr., to WL, Feb. 3, 1783 (MHi).

3. See Henry Brockholst Livingston to WL, Nov. 28, 1782. Brockholst reported in that letter that Vischer expected no difficulty in getting the money from Duncan.

### To the Assembly

Trenton, December 23, 1782.

GENTLEMEN,

In Answer to your Message of the 20th Instant, on your resuming the Consideration of the Governor's Message of the 18th of *June* last, requesting me to lay before the House an Account of the Sums and Species of Money I have received in Payment of the Salary to which the said Message relates;<sup>1</sup> the Governor is obliged to the Honourable House for their resuming the Consideration of that Message, and is now able to acquaint them, that since the Date of it he has received from the Treasury the full Equivalent of the said Salary,<sup>2</sup> as claimed by the Message, and due to him by the Contract therein mentioned; and he begs Leave to refer the Honourable House to the Treasurer for the Particulars of the Settlement thereof.

WILLIAM LIVINGSTON

*General Assembly* (Oct. 22–Dec. 26, 1782), 82.

1. On Dec. 20, 1782, after several postponements, the legislature renewed deliberations on WL's June 18 message. See WL to the Assembly, June 18, 1782. A discrepancy was found in WL's payments. The legislature ordered two members to investigate the matter and deliver their findings to WL (*General Assembly* [Oct. 22–Dec. 26, 1782], 6, 68, 82).

2. On Dec. 24, 1782, the legislature passed its annual act to support the government. In "An Act to provide for the Payment of the several Officers of the Government of the State of New Jersey, to commence the eighth Day of October, One Thousand Seven Hundred and Eighty-two, and to end the second Tuesday in October, One Thousand Seven Hundred and Eighty-three," WL's salary was set at £600 per year (*Acts* [Nov. 6–Dec. 26, 1782], 22–25; *General Assembly* [Oct. 22–Dec. 26, 1782], 55, 56, 58).

### From Elias Boudinot

Philadelphia December. 24th. 1782

Dear Sir

I take the earliest Opportunity of informing your Excellency of some agreeable News received yesterday from France by the french frigate,

which went on Shore in this Bay, but is since got safe off. What I am at liberty to communicate consists of the Copy of a Commission to Mr. Oswald at Paris, from the King of Great Britain, to treat with any Commissioner or Commissioner from "*the thirteen United States of America*" & a Copy of which I enclose for the Satisfaction of your Excellency and the Legislature.<sup>1</sup> The other Intelligence is contained in the following Extract of Letter. "From several asiatic Accounts, there is great probability that Madrass has been taken by the French Troops which landed at porto Neuvo, and the Army of Hyder Ally, with whom they had made a Junction, but no official Account has come to hand and this Intelligence cannot be given as certainty."<sup>2</sup>

From Mr. Adams "We have at length got the Consent of all the Cities & Provinces and have adjusted & agreed upon every Article, Word, Syllable, Letter & Point in the Treaty of Commerce and Clerkes are employed in making out fair Copies for Signature, which will be done this week.<sup>3</sup> Amidst the innumerable Crowd of Loans, which are opened in this Country, many of which have little success, I was much afraid that ours would have failed. I have however the Pleasure to inform you that I am at least one Million & an half of florins in Cash or about 3 Million of Livres, which will be an Aid to the Operations of our financ[ . . . ]."<sup>4</sup>

I need make no Comments on this Intelligence, the first of which so expressly admits the Independency & national Character of these States. On this Occasion I most cordially congratulate your Excellency and the Legislature.

I had the honor of receiving your Excellency's Letter of the thirteenth Instant,<sup>5</sup> and am sorry you were troubled with unnecessary duplicates of the resolutions of Congress enclosed in mine of the 11th but as I mentioned to Mr. Clark my design of enclosing them to your Excellency, I took it for granted he would not also send them. My having a Secretary makes it easier for me to transmit them.

I write this in a great hurry, being unwilling to keep so important a piece of Intelligence back a Moment. I have the honor to be with the greatest Respect Your Excellency's Most Obedient Humble Servant

ELIAS BOUDINOT

P.S. I forgot to mention that by a french News Paper received by this Vessel, it appears that the Treaty with the united Provinces, was signed on the 7th Oct.

ALS, NN.

1. Enclosure not found. The text of the commission dated Sept. 21, 1781, may be found in Wharton's *Revolutionary Diplomatic Correspondence*, 5:748–50. Oswald had previously been empowered to negotiate with the American peace commissioners but not as representatives of the thirteen united states of America. The new commission was requested by John Jay as a compromise to the American demand for British recognition of American independence prior to, and not as a consequence of, a peace treaty. Refer to Morris, ed., *Unpublished Papers of John Jay*, 2:347–63.

2. Adm. Pierre de Suffren had arrived in Indian waters in early 1782 determined to expand French power in India at English expense. With him Suffren brought thousands of troops to reinforce Hyder Ali, the Sultan of Mysore, in his attempt to eliminate the British influence in the Carnatic. On Apr. 4, 1782, Ali, supported by Suffren, overcame the British troops at Cuddalore, a town in eastern Madras. Their efforts throughout the year to capture the entire British presidency were unsuccessful. For previous developments in India, see the letters from Henry Brockholst Livingston to WL, Apr. 1, 1781, and Apr. 29, 1781.

3. Boudinot is quoting from John Adams's letter to Lafayette, Sept. 29, 1782. Refer to Wharton, *Revolutionary Diplomatic Correspondence*, 5:785–86. After winning recognition from the Dutch States General in April 1782, Adams remained in the United Provinces throughout the summer to negotiate a treaty of amity and commerce. He succeeded, and the treaty was signed in early October, enabling Adams to join John Jay and Benjamin Franklin in Paris. See Jacob Diriks to WL, Apr. 29, 1782.

4. Boudinot misquotes this last sentence from the extract of Adams's Sept. 29, 1782, letter to Lafayette. The entire sentence reads: "I have, however, the pleasure to inform you that I am at least one million and a half in cash, about three millions of livres, which will be a considerable aid to the operations of our financier at Philadelphia, and I hope your court, with their usual goodness, will make up the rest that may be wanting." After winning official recognition from the Dutch, Adams negotiated a loan with three Amsterdam banking houses. Five million guilders were borrowed at 5 percent interest and an additional 5 percent costs. By the end of September, 1.5 million of the 5 million guilders had been subscribed. One of the subscribers was Baron van der Capellen, who contributed 16 thousand guilders.

5. See WL to Elias Boudinot, Dec. 13, 1782.

### To Susannah French Livingston

[1783]

Dear Sukey

I hope Mr. Boudinot has not failed to call upon you with my Letter inclosing £21.15 as he promised to deliver it with his own hands.<sup>1</sup> As to your opinion about disposing of our place at Elizabeth Town I cannot think that I am under any necessity of doing it, because tho' I have greatly suffered by the war, I have a good Estate left if I can but get the time to put it in order.<sup>2</sup> However any thing that may appear most advantageous to my Children, I would readily consent to, especially for the

sake of my two unmarried daughters whom I am determined not to leave to the mercy of an unfeeling world.<sup>3</sup> But as to *hiring* a place, I should not like, because in that case, if I should die before you, you would be at the mercy of a Landlord, without a house of your own to put your head in. I think after that when the place is put in a little better order which cannot cost above three or four hundred pounds & for which it will fetch so much the more after our deaths, we can live there cheap enough. However we now can better discourse than write upon such a subject. I will not make up an absolutely [ . . . ].

I hope Brockholst will not beg in the world without a *shilling in his pocket*; tho' he might have gone into New York without money. I had not then any money to give him, & I cannot cut money from my flesh.<sup>4</sup> As soon as I can supply him I will, & I hope that none of my Children [ . . . ] can upbraid me for what is not in my power to prevent. I am your affectionate husband

WIL. LIVINGSTON

ALS, MHi.

1. Letter not found.
2. For WL's most recent reference to the reduction of his estate see WL to Alida Hoffman, Oct. 29, 1782.
3. Susannah and Catharine Livingston.
4. WL had urged Brockholst to collect debts owing to the governor. In his letter of Dec. 14, 1782, Brockholst reported his lack of success.

### To Sarah Jay

Eliz Town 8th January 1783

My dear Mrs. Jay

I received your Letter of the 15th Oct. on my way to this place where I had not been since the beginning of October last.<sup>1</sup> It is the first letter I have had from you since your arrival in France. I am glad to hear you was recovered from your indisposition; & wish I could felicitate Mr. Jay on the like fortunate event respecting himself.

I long to see you both, & my dear little french granddaughter Maria. My sweet little Peter is now standing at my elbow; & as you desire me to tell you what I think of him I will give you my Opinion with the greatest impartiality. He is really and without flattery one of the handsomest boys in the whole country & exceedingly sprightly and active;

of a very quick apprehension and an exceeding good memory. Of late he is as fond of his book as can be wished, & he reads well for a boy of his age. I think that he has lost but very little by his not having been at school since he left Poughkeepsie. However we were determined to comply with his father's request as to sending him thither again; & should have resigned him into the hands of his Uncle Fady<sup>2</sup> whenever he had called for him for that purpose whatever mortification our parting with him might have cost us. But Mr Benson's<sup>3</sup> Sentiments upon that subject (which I am told have been transmitted to Mr. Jay) will I hope reconcile you to his being still with his grand Mama Livingston, who notwithstanding her great fondness for him, is far from spoiling him, as there is easily not a boy in the Country more orderly or under better command than Master Peter. We had some thoughts last Fall of putting him to school in this Town; but considering the expence of boarding and how little more he would learn by that means than at home, we concluded to defer it till Spring, when he can foot it from Home with his Basket containing his dinner & need not return till after the Second school; which I think will greatly contribute to his health & strength by the due quantity of exercise it will afford him. Mr Jay's directions in the interim shall however be the rule of our conduct respecting him. He has lost much of his bashfulness, & begins to go to converse with strangers with considerable freedom. I am sorry that he still retains his bad pronounciation of some words occasioned by his not being able to pronounc the G & C, substituting the *D* for the former & the *T* for the latter. Gold for instance he calls *Doold* & Come *tome*. But I hope this will soon wear off, as most of my children were long puzzled with the pronounciation of certain letters of the Alphabet which they afterwards articulated as well as others.

A few days ago a number of transports arrived at New York from Charles Town in consequence of the evacuation of that Garrison.<sup>4</sup>

I long earnestly for their leaving New York that I may again be able to live with my family which labours under many inconveniences on account of my absence from it, as I do in my turn for being obliged to live at a distance from them.

I long exceedingly to see you & Mr. Jay in safety over that Element which has been so fatal to mine.<sup>5</sup> I am your affectionate Father

WIL: LIVINGSTON

P.S. Peter does not yet learn to write, but I inclose you a specimen of his Genius for imitation in that way. [I have not] received your Letter with [an acco]unt of the Pyrenees.<sup>6</sup>

ALS, NNC. Published in Morris, *Unpublished Papers of John Jay*, 2:595–96.

1. See Sarah Jay to WL, Oct. 14, 1782.
2. Frederick Jay, brother of John Jay.
3. Egbert Benson. Letter not found.
4. Charleston was evacuated on Dec. 14, 1782. Refer to Maj. Gen. Nathanael Greene to George Washington, Dec. 18, 1782, in Fitzpatrick, *Writings of Washington*, 25:447; and Nathanael Greene to George Washington, Dec. 19, 1782, in DLC:GW, 3:2303. See also Robert Livingston to WL, Jan. 23, 1782.
5. For the most recent reference to the loss at sea of his son John Lawrence see WL to Susannah Livingston, Dec. 17, 1781.
6. Letter not found.

### To John Jay

Elizabeth Town 8th January 1783

Sir

I have just now received your Letter of the 14th October.<sup>1</sup> Next to you being here, I rejoice at your being in France, as I presume that if Madrid can please a Spaniard it is as much as can be expected.

I hope that my little grand daughter is by this time recruited from her tedious Journey; & thriving on the salubrious milk generated by lawful matrimony.<sup>2</sup> As to Master Peter, all the pains the family takes with him, carry with them their own reward: *labor ipse voluptas*.<sup>3</sup> He is one of the most sagacious boys of his age that ever I met with; & has almost every fable of Aesop & [Gay] at his fingers end.

I always had an aversion to venturing any political news across the ocean. This aversion has been not a little increased by observing the imprudence of others, in writing to their friends in Europe whatever comes into their heads concerning the state of our affairs without considering that it was at least five to one that their unguarded effusions escaped falling into the hands of the enemy. Having therefore not settled any cypher with you, (which I have often regretted) I dare not venture any thing on that Subject, on which I could otherwise tell you something of no inconsiderable moment. Be assured that we shall be glad to hear from you & Mrs Jay, as often as possible.

As poor Brockholst lost his whole collection of garden seeds by his capture,<sup>4</sup> I shall be much obliged to you for the seeds of any such hortuary vegetables in which the french gardens excell ours, as well as for those of any pretty flowering shrubs that are not to be found amongst us. This, you will say, is an odd commission for an Ambassador; but as Mr. Oswald<sup>5</sup> will probably lead you thro many thorny paths, it may be well enough to amuse yourself sometimes with collecting a few flowers that you may accidentally meet with during the Journey. I am Dear Sir your most humble Servant

WIL. LIVINGSTON

Ley, NNC. Published in Morris, *Unpublished Papers of John Jay*, 2:594–95.

1. For the Jays's arrival in Paris see Sarah Jay to WL, Oct. 14, 1782, and refer to John Jay to WL, Oct. 13, 1782 (MHi).

2. In his letter of Oct. 13, 1782, Jay had described Sarah's inability to nurse their sickly daughter Maria and the child's recovery when the Jays obtained a wet nurse.

3. *labor ipse voluptas*: labor is itself a pleasure.

4. For the most recent account of Brockholst's capture by the British and his release by Sir Guy Carleton see WL to Sir Guy Carleton, May 13, 1782.

5. Richard Oswald, the British commissioner to the Paris peace negotiations. See Elias Boudinot to WL, Dec. 24, 1782.

### To Thomas Jefferson

Trenton 25 January 1783

Dear Sir

Being just returned to this place from a Journey to the eastern parts of that State, I find myself honoured with your very kind & obliging Letter of the 3d instant.<sup>1</sup> My host here having neglected to transmit it to me from his daily expectations of my return, I fear that this letter will not find you in America, & in such case I have desired the President of Congress to do me the favour of directing it accordingly, & of sending it to France by the first opportunity.

And now, my dear Sir, give me leave to assure you, that I am not only extremely sensible of the politeness of your offer to be the bearer of my Letters to Mr. & Mrs. Jay,<sup>2</sup> but that I am particularly flattered by the value you are pleased to set on the *acquaintance you contracted with me*, in Philadelphia: An Acquaintance, which I most earnestly wish to cultivate to my dying day, 'tho' like the rest of the world, that is too much

actuated by motives of selfinterest, this wish of mine, partakes, I fear, too much of that inglorious passion; as the benefits that will result from our intimacy, (which I pray you to perpetuate by your correspondence) will be altogether on my side.

Heaven grant you a prosperous voyage & a safe return; & be assured, that I am with the greatest sincerity your most humble Friend & Servant

WIL: LIVINGSTON

ALS, CSmH.

1. Refer to Thomas Jefferson to WL, Jan. 3, 1782 (MHi). Jefferson had been nominated a peace commissioner on June 11, 1781, but declined on Oct. 8, 1781. See Sarah Jay to WL, Oct. 14, 1782, n. 2 and *JCC*, 20:628; 21:1043. He was appointed minister to France on Nov. 12, 1782 (*JCC*, 23:720).

2. On the same day Jefferson wrote to WL he also addressed a letter to John Jay in Paris. He told Jay he expected to sail from Philadelphia for France daily and asked Jay to find him lodging (Boyd, *Papers of Thomas Jefferson*, 6:217–18). On Feb. 14, 1783, Congress ordered Jefferson to delay his departure (*JCC*, 24:132).

### To Peter Augustus Jay

Trenton 13 february 1783

My dear Peter Jay

Don't you remember that you promised to send me a Letter as Soon as you got to Poghkeepsie?<sup>1</sup> But I fear that you have forgot it. But you See that Grand Papa has not forgot you. Since you have been taken away from Elizabethtown to be put to School at Poghkeepsie I hope you will mind your book & try to be the best Scholar in the whole School.<sup>2</sup> I know that you learn very fast if you please & you must tell me in your letter what book you are in. Uncle Fady will write a Letter for you but then you must tell him what to write. We hear good news about a peace & that King George is forced to let us alone<sup>3</sup> & how foolish will the Tory Boys look then Master Peter? And then I hope we Shall soon have Papa & Mamma Jay back again to this Country, & that will make Grand Papa very glad indeed & my little Peter too. I am my dear little P. Your affectionate Grandfather

LBC, MHi. Sedgwick Transcription.

1. Letter not found.
2. WL explained to Peter's mother, Sarah Jay, that he had decided to defer sending Peter to school in Poughkeepsie until the spring. See WL to Sarah Jay, Jan. 8, 1783.

3. In his letter to John Rodgers of Jan. 27, 1783, WL reported that there was talk of peace in New York (Sedgwick, *Livingston*, 374–75).

### From George Morgan

Prospect February 15th 1783

Sir

A Hand Bill this Moment arrived from New York published there the 12th Instant, contains the following Copy of a Letter from the right honorable T. Townsend,<sup>1</sup> Secretary of State to the Lord Mayor of London dated December 3d. 1782.

My Lord

“In Consequence of my Letter to your Lordship of the 22d of last Month I take the earliest Opportunity to inform your Lordship that an Express has just arrived from Paris who brings the priliminary Articles for Peace signed on the 30th of November, by the Ambassadors on the part of Great Brittain & those on the Part of the United States of America. It only now remains to sign the same Articles between Great Brittain & France to constitute a general Peace; And this Notice you will give to the Public as soon as possible.”<sup>2</sup>

The [Brig . . . t] Ranger Captain Boyce who left France the 25th of December was captured the 6th Instant by the Eagle Privatier & sent into New York the 12th so that we shall soon have further Accounts. I am with great Respect Your Excellencys Most Obedient humble Servant

GEORGE MORGAN

ALS, MHi.

1. Thomas Townsend. Letter not found.
2. For details of the preliminary peace terms between Great Britain and the United States see WL to Sarah Jay, Dec. 14, 1782, n. 3.

### To Ephraim Harris

Trenton 16 February 1783

Dear Sir

The Committee from the Army to Congress with a petition respecting their claims<sup>1</sup> & lately returned much disappointed as they say & I am persuaded not a little disgusted. I have good reason to believe that

the Army in general have for some time past had it in contemplation in case this application proved fruitless, to adopt the resolution of not taking the field the next Campaign Should the war continue; or not to disband if peace should take place, until they receive that Justice which they contend for & which they conceive to be due to them.<sup>2</sup> As a peace will probably be concluded before the Spring if not already settled,<sup>3</sup> the worst of those two disagreeable events is not likely to take place. But I have the greatest reason to apprehend that the latter measure will actually be carried into execution. If it should this State will doubtless be the principal Sufferer, as I suppose that a considerable part of our Army will take up their quarters in it. I do not indeed Suppose that they will make any wanton or unnecessary devastation. They are Citizens as well as Soldiers & must expect soon to mingle with the rest of their fellow Subjects in the civil line; & perhaps no Army in the world has ever paid a more sacred regard to the civil authority than the American Troops have done throughout the whole Course of the war, & that frequently under such circumstances as were sufficient to excuse if not to justify the invasion of private property, from the necessity to which they were reduced. But with all the regularity & prudence which they may & I flatter myself will endeavour to preserve while they quarter in this State for the purpose above mentioned we have had sufficient experience to teach us how greatly the encampment of the best disciplined & most republican Army in any State is to be deprecated by the State whose lot it is like to be & I can easily foresee how extremely prejudicial it will prove to New Jersey already so harrassed & exhausted by the war as we are. Whether in order to do what in us lies to convince the Army of our disposition to do it ample justice<sup>4</sup> as far as we are concerned as a State in order to prevent a Step that will necessarily prove so destructive to us & so dishonourable to the United States (either in their civil or military department) it be expedient for you Sir to convene the general Assembly before the Time to which they stand adjourned is not my province to point out; but from the evidence I have that the apprehended event will happen & from the very Serious consequences of it to this State whenever it does happen, I should have thought myself inexcusable & greatly wanting in that fidelity to my Country, which from the honour it has done me as well as from my own inclinations to render it every possible service has a right to expect such a notification from me had I not assured you of these my too well grounded apprehensions that our Troops will resort to the above measure to obtain

what they claim as due to them & which they seem to despair of obtaining after they are disbanded.<sup>5</sup>

LBC, MHi. Sedgwick Transcription.

1. In the petition considered by Congress on Jan. 25, 1783, Maj. Gen. Alexander McDougall on behalf of army officers, demanded current and past pay, half-pay settlement, and allowances for rations and clothing. Congress directed superintendent of finances Robert Morris to pay current salaries to the army, if sufficient funds were on hand. To settle past accounts with the army, Congress resolved to obtain enough money from the states to fund the entire debt. The half-pay provision, passed on Oct. 21, 1780, promised pensions for life to all officers who served to the end of the war. Congress then resolved that officers could choose either half-pay for life or a cash settlement. The remainder of the demands were referred to a committee (*JCC*, 18:960, 24:93–95). For mention of passage of the half-pay measure see Abraham Clark to WL, Oct. 22, 1780. For an awareness on the part of the New Jersey Legislature to the soldiers' financial distress see Representation of the New Jersey Legislature to the Continental Congress, Sept. 24, 1782.

2. Officers feared that congressional promises of salary and pensions would be forgotten when the army was disbanded. This situation led to the Newburgh Conspiracy in March 1783. Only the officers' personal loyalty to Washington and his unwillingness to countenance or lead a mutinous military force, aborted the incipient uprising (Fitzpatrick, *Writings of Washington*, 26:186, 208; *JCC*, 24:294–311).

3. See George Morgan to WL, Feb. 15, 1783, n. 1.

4. For measures taken by other states to pay their troops see the Representation of the New Jersey Legislature to the Continental Congress, Sept. 24, 1782, and n. 1.

5. The New Jersey Assembly was adjourned from December 1782 to June 1783.

### To Sir Guy Carleton

Trenton 27th February 1783

Sir

Upon the Application of the Council of Proprietors of the Eastern Division of New Jersey thro' their President, on the subject matter of the Memorial which I do myself the honour to enclose to your Excellency, I take the Liberty to transmit to your Excellency their request which, tho' more particularly interesting to them, as Individuals, is, at the same time, of public concernment to this State respecting the title to Lands.<sup>1</sup> As it can be of no advantage to the present Possessor in particular, nor tend to the interest of Great Britain in general to detain in your lines the books & papers in question & more especially as such a measure would seem repugnant to your Excellencys disposition to oblige whenever it is not inconsistent with your duty to your Sovereign,

I hope the Memorialists will succeed in their respectful application to your Excellency. With great respect I have the honour to be your Excellency's most humble & most obedient servant

WIL. LIVINGSTON

ALS, NN.

1. Refer to the memorial of the Council of Proprietours of the Eastern Division of New-Jersey, in Behalf of themselves and the Rest of the General Proprietours of this said Eastern Division, whom they represent, Feb. 27, 1783 (ViCW). The Council of Proprietors asked Carleton to return certain records, surveys, and maps belonging to it, necessary to decide disputes over land titles. The records had been removed from Perth Amboy to New York by John Smyth, treasurer of East Jersey. For an account of Smyth's apprehension by order of Congress, conveyance on parole to Trenton, and flight to New York, see 1:92-93.

### From Sir Guy Carleton

New York March 8th. 1783.

Sir,

I am to acknowledge your Excellency's letter of the 27th. of February, inclosing and recommending the memorial of the Proprietors of the Eastern Division of New Jersey.<sup>1</sup> I am, Sir, perfectly disposed to comply with every proposition by which I can accomodate any Order of Men in New Jersey, with the reserve only that my advances in this sort shall not be injurious to those who have the most just Claims to my attention and regard. I therefore thought it necessary to communicate that Memorial to those Gentlemen within our lines, whose claims and rights are, or may be, involved in the question. Your Excellency will perceive by their Representation, a copy of which is enclosed, that those Gentlemen are unwilling in the present moment to give their assent to the request contained in the Memorial.<sup>2</sup> For my own part, Sir, I cannot apprehend that those Papers, if granted, would be used for the purpose of injuring, in any degree, Gentlemen whom it is so much my duty to protect, yet the peculiarity of the present moment seems to render a suspension at least of this measure proper,<sup>3</sup> which I hope will not prove inconvenient to any of the Gentlemen connected with the Memorial. I am, Sir, Your Excellency's Most obedient humble Servant

GUY CARLETON

Ley, NjHi.

1. See WL to Sir Guy Carleton, Feb. 27, 1783.
2. Refer to John Smyth to Sir Guy Carleton, Mar. 1, 1783, and W.S. Smith to Sir Guy Carleton, Mar. 8, 1783 (ViCW).
3. In an earlier draft, Carleton here wrote and crossed out "and accordingly until I am more informed of Events, I find myself obliged to decline the Request which the Gentleman proprietors of the eastern division of New Jersey have now made."

From Robert R. Livingston

Philadelphia 18th. March 1783

Sir,

Congress a few days since directed me to transmit to your Excellency a copy of the provisional Treaty for a peace between the United States and Great Britain.<sup>1</sup> I should have done it at an earlier day without any particular direction had not an order passed in Congress for furnishing the Delegates of each State with a Copy, that it might be transmitted thro' them.<sup>2</sup> In conformity to the second direction I have the honor to enclose a Copy, tho' I have no doubt, that I have been already anticipated by that forwarded by the Delegates of your state. Yet Sir this Letter may not be entirely useless, when it assures you, that the conclusion of the Treaty is still very uncertain. My public Letters are of such a nature as not to free me from apprehensions, that Britain still seeks rather to divide her Enemies than to be reconciled to them, tho' this suspicion may not perhaps be well founded, yet such conduct is so conformable to the general Tenor of British Councils—to the Character of the King and his first Minister, that it is at least the part of prudence to be upon our guard against it.

But whatever their intentions may be the peace must still depend upon so many contingencies, that no preparation for another Campaign should be omitted on our part—none is neglected by our Antagonists. They have voted one hundred and ten Thousand Seamen for the ensuing year.<sup>3</sup> France continues her preparations, and will not close the war, till she can obtain honorable terms for her Allies, but little progress was made in their Negotiations, when my Letters were written.<sup>4</sup> Count de Vergennes has thought it prudent to advise Congress of this circumstance, that they might be prepared for every event.<sup>5</sup> I communicate it to your Excellency with similar views, I doubt not you will avail yourself of this information to urge the State in which you preside to take

such measures, that they may not be found unprovided in case our hopes of peace should be frustrated.

It would give me pleasure to learn the measure that have been adopted in consequence of the requisitions made in my Letters to your Excellency or your Predecessors in Office at different periods relative to my Department, and more particularly to received the Accounts so frequently called for of the Damage done by the Enemy in your State. I have reason to think had it been furnished in time it might have been of singular use to our Ministers—and perhaps have tended to obtain some releif for the Sufferers.<sup>6</sup> It may not yet come too late to be useful, let me pray your Excellency to take measures for furnishing three authentic Copies by the earliest opportunity. I have the honor to be with great Respect Your Excellency's most obedient humble servant

ROB R. LIVINGSTON

Df, NHi.

1. For a summary of the preliminary treaty and the events leading to it see Sarah Jay to WL, Dec. 14, 1782.

2. No record of such a transmission has been found.

3. The British Parliament had passed this resolution on Dec. 11, 1782. Refer to *The Parliamentary History of Great Britain*, 23:292–99.

4. France and Spain signed preliminary treaties with Great Britain on Jan. 20, 1783. Spain conceded its demand for Gibraltar and acquired the Floridas and Minorca instead. Britain had restored to it the Bahamas and West Indian islands. Spain additionally granted English logwood cutters access to Spanish lands off the Gulf of Mexico. Saint Pierre and Miquelon were returned to France, and French fishermen were to be permitted to fish off specified coasts of Newfoundland.

5. It is likely that Robert Livingston is referring here to a letter from Vergennes to M. de la Luzerne, Dec. 24, 1782, which is excerpted in Wharton, *Revolutionary Diplomatic Correspondence*, 6:153.

6. Robert R. Livingston's assumption had been based on the advice he received in a letter from the American negotiators in Paris accompanying the preliminary peace treaty sent to Congress. Refer to Adams, Franklin, Jay and Laurens to Robert R. Livingston, Dec. 14, 1782 (Wharton, *Revolutionary Diplomatic Correspondence*, 6:131–33).

From Robert R. Livingston

24th. March 1783

Dear Sir

I have the honor to enclose an abstract of the [preliminary] articles for a general peace signed the 20th January 1783. They were brought by a vessel that arrived last night from Cadiz despatched by Count Distaign

to recall the cruzers & privateers of his most Christian majesty and his subjects.<sup>1</sup> Tho' not official they leave no room to doubt this happy event on which I sincerely congratulate your Excellency.<sup>2</sup> When the [wisdom?] of the United States shall have reestablished their credit & strengthened their bond of Union which will doubtless be the first work of peace we shall have every reason to hope that this will be a happy & a flourishing country. I have the honor to be Sir with great respect etc.

Df, NHi.

1. Adm. Charles Hector Theodat D'Estaing was to lead a Franco-Spanish expedition against the British West Indies. The expeditionary force was dissolved when France and Spain signed their preliminary treaties with Britain. Refer to Elias Boudinot to WL, Mar. 1–20, 1783 (*Royal Gazette*, Mar. 26, 1783) and Mar. 24, 1783 (DLC:Boudinot Papers).

2. On Jan. 20, 1783, Benjamin Franklin and John Adams witnessed the signing of the preliminary treaties of peace between England and its adversaries France and Spain, the preliminary treaty between Great Britain and America having been signed the previous November. Afterwards the two American peace commissioners signed the British cease fire and responded with their own declaration a month later. A definitive treaty of peace would not be signed until the following September. See Robert R. Livingston to WL, Mar. 18, 1783.

## Proclamation

Trenton, April 14. [1783]

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 the United States of America, in Congress assembled, by their proclamation, (declaring the cessation of arms, as well by sea as by land, agreed upon between the United States of America and His Britannick Majesty, and enjoining the observance thereof) bearing date the eleventh day of this present month of April, have declared and made known in the words following, *to wit*,<sup>1</sup>

WHEREAS provisional articles were signed at Paris on the thirtieth day of November last, between the Ministers Plenipotentiary of the United States of America for treating of peace, and the Minister Plenipotentiary of His Britannick Majesty, to be inserted in and to constitute the treaty of peace proposed to be concluded between the United States

of America and His Britannick Majesty, when terms of peace should be agreed upon between their Most Christian and Britannick Majesties: And whereas preliminaries for restoring peace between their Most Christian and Britannick Majesties were signed at Versailles, on the twentieth day of January last, by the Ministers of their Most Christian and Britannick Majesties: And whereas preliminaries for restoring peace between the said king of Great-Britain and the King of Spain were also signed at Versailles, on the same twentieth day of January last.

BY which said preliminary articles it hath been agreed, that as soon as the same were ratified, hostilities between the said Kings, their kingdoms, states and subjects, should cease in all parts of the world; and it was farther agreed, that all vessels and effects that might be taken in the channel and in the north seas, after the space of 12 days from the ratification of the said preliminary articles, should be restored; that the term should be one month from the channel and north seas as far as the Canary islands inclusively, whether in the Ocean or the Mediterranean; two months from the said Canary islands as far as the equinoctial line or equator; and lastly, four months in all other parts of the world, without any exception or more particular description of time or place: And whereas it was declared by the Minister Plenipotentiary of the King of Great-Britain, in the name and by the express order of the King his Master, on the said twentieth day of January last, that the said United States of America, their subjects and their possessions shall be comprised in the above mentioned suspension of arms at the same epochs, and in the same manner, as the three Crowns above mentioned, their subjects and possessions respectively; upon condition that on the part, and in the name of the United States of America, a similar declaration shall be delivered, expressly declaring their assent to the said suspension of arms, and containing an assurance of the most perfect reciprocity on their part: And whereas the Ministers Plenipotentiary of these United States, did, on the same twentieth day of January, in the name and by the authority of the said United States, accept the said declaration; and declare, that the said states should cause all hostilities to cease against His Britannick majesty, his subjects and his possessions, at the terms and epochs agreed upon between his said Majesty the King of Great-Britain, His Majesty the King of France, and His Majesty the King of Spain, so, and in the same manner, as had been agreed upon

between those three Crowns, and to produce the same effects: And whereas the ratifications of the said preliminary articles between their Most Christian and Britannick Majesties were exchanged by their Ministers on the third day of February last, and between His Britannick Majesty and the King of Spain on the ninth day of February last: And whereas it is Our Will and Pleasure, that the cessation of hostilities between the United States of America and His Britannick Majesty, should be conformable to the epochs fixed between their most Christian and Britannick Majesties:

WE have thought fit to make known the same to the citizens of these states, and we hereby strictly charge and command all our officers, both by sea and land, and others, subjects to these United States, to forbear all acts of hostility, either by sea or by land, against his Britannick Majesty or his subjects, from and after the respective times agreed upon between their Most Christian and Britannick Majesties as aforesaid.

AND we do further require all Governors and others, the executive powers of these United States respectively, to cause this our proclamation to be made publick, to the end that the same be duly observed within their several jurisdictions:

AS by the said proclamation may appear. I DO THEREFORE, in pursuance thereof, cause the said proclamation to be made publick in this state, to the end that it may be duly observed within the same; and the sheriffs of the several counties in this state are hereby required to cause this proclamation to be made publick in their respective bailiwicks in due form of law, as soon as may be.

Given under my hand and seal at arms in Trenton, the fourteenth day of April, in the year of our Lord One Thousand Seven Hundred and Eighty-three, and of the Sovereignty and Independence of America the seventh.

WIL. LIVINGSTON.

By His Excellency's Command,

BOWES REED

GOD SAVE THE PEOPLE.

*N.J. Gazette*, Apr. 16, 1783.

1. The news of the peace was carried to New Jersey residents by local sheriffs. Sometime in April 1783 Joseph Crane submitted a bill to Caleb Bruen "for caring his Exelency willian-levenston procklemation of peas to the sheriv of bargin county leving About five miles Abouve pumpton. the sheariv not being at hum I had to go to paramus & from thare to hackensack. for such I charge fore Dollars." Crane was paid on July 29, 1783 (MHi).



APPENDIX  
List of Documents Not Published\*

1780

- July 2 To George Washington, DLC:GW
- 3 From Joseph Jenkins, NN
- 5 From Jacob Arnold, NN
- 6 From Clement Biddle, NN
- 6 From Joseph Reed, NN
- 7 From Benjamin Stoddert, Nj
- 10 From Sarah Dow, NN
- 10 From Peter Wilson, NN
- 11 From Bowes Reed, NN
- 12 From Moore Furman, MH
- 12 From William C. Houston, NN
- 14 From Thomas Egbert, NN
- 14 From John Jay, NN
- 15 From Jacob Arnold, NN
- 15 From Benoni Hathaway, Nj
- 16 From Elias Boudinot, NN
- 17 From Nathaniel Scudder, NN
- 18 From Silas Condict, NN
- 19 From Jacob Arnold, NN
- 19 From Mathew Freeman, NN
- 21 From Jonathan Stiles, Jr., NN
- 22 From William C. Houston, NN
- 22 From Jonathan Lawrence, Jr., NN
- 23 From Samuel Groenendyck, NN

\*These are published in the microfilm edition of *The Papers of William Livingston*.

## APPENDIX

- 23 From John Witherspoon, NN
- 25 From Silas Condict, NN
- 25 From Elizabeth and Dorothy Williams, NN
- 26 From Silvanus Seely, NN
- 27 From Okey Hoagland, NN
- 27 From Susannah Livingston, NN
- 29 From Col. Charles Stewart, NN
- August 1 From David Brearley, NN
- 1 From George Washington, NN
- 2 From John Stevens, NN
- [4] Order to Militia, *N.J. Journal*, August 9, 1780
- 7 From Mary Martin, NN
- 7 From Margery Norwood, NN
- 8 From John Dacher, NN
- 14 From John Adam, NN
- 14 From Ephraim Blaine, NN
- 14 From Samuel Huntington, DNA:PCC, 15
- 15 From William MacLeod, NN
- 16 Pass for Eleazar Lindsley, PWBWHi
- 16 From John Mathew, Nj
- 17 From William Alexander Livingston, NN
- 17 From George Washington, Nj
- 18 From Jonathan Deare, NN
- 18 From Lewis Ogden, NN
- 19 From Abraham Clark, NN
- 20 From William Maxwell, PHi
- 20 From George Washington, DLC:GW
- 21 From Samuel Dick, NN
- 22 From Samuel Meeker, NN

- 23 From Joanna Halstead, NN
- 25 From William Burnet, Sr., NN
- 27 From George Washington, Nj
- 27 "Z" on British Army, *N.J. Gazette*, September 6, 1780
- 28 To Colonel Hendrickson, Private Collection of George C. Rockefeller
- 31 From Frederick Frelinghuysen, NN
- September [1–30] From David Crow et al, MHi
- [1–30] From Azel Roe et al, MHi
  - 1 From Thomas Reynolds, NN
  - 1 From Benjamin Winans, MHi
  - 3 From Samuel Huntington, *Correspondence of the Executive of N.J.*, 258–59
  - 7 From John Cleve Symmes, NN
  - 11 From Joseph Hugg, NN
  - 11 From Elizabeth McKay, NN
  - 12 From Mary Davis, NN
  - 13 From William MacLeod, NN
  - 14 From Asher Holmes, NN
  - 14 From William C. Houston, NN
  - 15 From W. Barton, NN
  - 15 From John Fell, NN
  - 15 From Samuel Huntington, Nj
  - 15 Petition of Hendrick Van Brauh, John Mercer, and Bateman Lloyd, Nj
  - 16 To George Washington, DLC:GW
  - 18 From John Kip, NN
  - 18 From Timothy Pickering, NN
  - 18 From Timothy Pickering, NN
  - 19 From Benjamin Stoddert, NN
  - 21 From Philemon Dickinson, NN

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- 21 From Jane Pricketts, NN
- 25 From William Burnet, NN
- 25 From John Witherspoon, NN
- 26 From William C. Houston, NN
- 27 From [ . . . ], NN
- 27 From Thomas Jefferson, Boyd, *The Papers of Thomas Jefferson*, 3:664.
- 28 From David Clarkson, Jr., NN
- 28 From Benjamin Helme, NN
- 28 From John Kip, NN
- 30 From William C. Houston, NN
- October 1 From Timothy Pickering, DNA: RG 93, vol. 136
- 2 From William C. Houston, NN
- 2 From William C. Houston, NN
- 2 From Philip Van Cortlandt, NN
- 3 From William C. Houston, NN
- 3 From Richard Peters, NN
- 3 From Benjamin Stoddert, Nj
- 4 From John Lloyd, NN
- 5 From Joseph Reed, NN
- 6 From Abraham Lott, NN
- 7 From Samuel Huntington, NN
- 11 From John Hassey, NN
- 12 From Henry Brockholst Livingston, NN
- 16 From Samuel Webb, CtY
- 17 From John Neilson, NN
- 18 "Z" to Sir Henry Clinton, *N.J. Gazette*, October 18, 1780
- 20 From Aaron Burr, NN
- 24 From John Morin Scott, NN
- [26] From Bowes Reed, NN

- 26 "Scipio," *N.J. Gazette*, October 18, 1780  
November [1–30] From Henry Addison, NN  
[1–30] Remonstrance of Azariah Durham, Nj  
[1–30] From Levi Preston, MHi  
2 From Grace Hastings, NN  
3 From Samuel Chase, NN  
3 From Thomas Sim Lee, NN  
3 From Joseph Phillips, NN  
4 From "A Soldier," *Rivington's Royal Gazette*,  
November 4, 1780  
4 From Thomas Sim Lee, MdA  
5 From Abraham Lott, NN  
7 Proclamation, *N.J. Gazette*, November 15,  
1780  
8 From Joseph Carson, NN  
10 From John Beatty, NN  
10 From Bowes Reed, NN  
11 From Henry Lee, Jr., NN  
11 From Jacob Phillips, NN  
13 From B. Edgar Joel, NN  
14 From B. Edgar Joel, NN  
15 From William Moffit, NN  
15 From Benjamin Stoddert, NN  
15 "Z," *N.J. Gazette*, November 15, 1780  
17 From Samuel Huntington, DNA:PCC, 15  
18 From William C. Houston, NN  
20 To John Mauritius Goetschius, NN  
20 From William C. Houston, NN  
20 From George Warner, NN  
21 From William C. Houston, NN  
22 From Ephraim Blaine, NN

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- 22 From William Bradford, Nj
- 22 From Baker Hendricks, NN
- 22 Proclamation, *N.J. Gazette*, November 22, 1780
- 25 From John Pratt, NN
- 26 From Joseph Reed, NN
- 27 From Nathaniel Camp, Jr., NN
- 27 From Abraham Kitchel, NN
- 27 From Joseph Reed, PHarH
- 27 From William Scudder, NN
- 28 From William Burnet, Sr., NN
- 28 From William C. Houston, NN
- 28 From Francis Lewis, NN
- December [1–30] Petition of James Smith, MHi
  - 1 From Manasseh Salter, NN
  - 2 From John Hoskins and Samuel Allinson, NN
  - 2 From Sarah Jay, NN
  - 2 Petition of Morris County Militia Officers, Nj
  - 2 From Joseph Reed, NN
  - 3 From Frederick Frelinghuysen, NN
  - 4 From Anne Kennedy, NN
  - 5 From Frederick Frelinghuysen, NN
  - 5 From Ebenezer Hazard, NN
  - 5 From Isaac Woodruff, NN
  - 7 From Jacob Crane, NN
  - 9 From Israel Shreve, NN
  - 10 From Benjamin Helme, NN
  - 10 From George Washington, NN
  - 11 From Jonathan Deare, NN
  - 12 Petition on Behalf of Sarah Foy, NN

- 12 From Asher Holmes, NN
- 14 From John Taylor, NN
- 16 Petition of John Mauritias Goetschius et al,  
Nj
- 16 From Helenah Rapalje, NN
- 16 From Henry Remsen, NN
- 17 From Levinus Clarkson, NN
- 17 From Jacob Crane, NN
- 18 From David Brearley, NN
- 18 Commissions as Justice of Bergen County,  
Nj
- 20 To George Washington, DLC:GW
- 21 From James Madison and Theodore Bland,  
NN
- 23 From William Burnet, Sr., NN
- 23 From Jacob Crane, NN
- 23 From Ebenezer Hazard, NN
- 25 From Jonas Phillips, NN
- 26 From David Brearley, NN
- 26 From William Burnet, [Sr.], NN
- 26 From John [Mehelm], NN
- 29 From Azel Roe, NN
- 30 Petition of Militia of Hunterdon County,  
MHi

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- January 2 From Elias Boudinot, NN
- 3 From Nathaniel Heard, NN
- 3 From Samuel Smith, NN
- [3] From Robert Stockton, NN
- 4 From Jacob Crane, NN
- 4 From Robert Hude, NN

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- 5 From William Burnet, [Sr.], NN
- 5 From Moses Jaques, NN
- 5 To George Washington, DLC:GW
- 6 From Nathaniel Heard, NN
- 7 From William Burnet, [Sr.], NN
- 8 From Samuel Hodgdon, DNA:RG 93
- 9 To John Breese, MHi
- 9 From Philemon Dickinson, NN
- 9 From David Forman, NN
- 9 From John Sullivan, NN
- 12 From Jean Holker, NN
- 12 From George Washington, DLC:GW
- 15 From Samuel Huntington, Nj
- 16 From John Vanderen, Jr., NN
- 18 From Bowes Reed, NN
- 18 To Philip Schuyler, MHi
- 18 To John Stevens, [Sr.], NjHi
- 18 From Robert Watts, NN
- 19 From Ephraim Blaine, NN
- 20 From John Beatty, NN
- 20 From Nathaniel Heard, NN
- 21 From James Abraham, NN
- 23 From George Washington, NjR
- 24 From David Anderson, NN
- 24 From John Imlay, NN
- 24 From Samuel Huntington, Nj
- 24 From William Willcocks, NN
- 25 From an Unknown Person, NN
- 26 From William Paterson, NN
- 26 From John Stevens, Jr., NN
- 27 From Jonathan Stiles, NN

- 27 From George Washington, DLC:GW
- 28 To George Washington, DLC:GW
- 29 From Elias Boudinot, NN
- 29 From Josiah Hornblower, NN
- 29 From John Cleves Symmes, NN
- 29 From Philip Van Cortlandt, NN
- 30 From Silas Condict, NN
- 31 From Benjamin Manning, NN
- February 1 "Cato," *N.J. Journal*, March 20, 1781
- 3 From Henry Brockholst Livingston, NN
- 3 From Daniel Marsh, NN
- 3 From John Witherspoon, NN
- 4 From Chevalier de La Luzerne, NN
- 4 From John Stevens, Sr., NN
- 4 To George Washington, DLC:GW
- 5 From Joseph Borden, NN
- 5 From Robert Ogden, Jr., NN
- 7 From John Jay, NN
- 7 From Timothy Matlack, NN
- 7 From Samuel Smith, MHi
- 8 From Samuel Huntington, Nj
- 12 From James Caldwell, NN
- 12 From John Mathews, NN
- 13 From George Washington, DLC:GW
- 14 From Okey Hoagland, NN
- 15 From John Adam, NN
- 15 From Daniel Covenhoven, NN
- 15 From Marinus Willet, NN
- 16 From Jonathan Deare, NN
- 17 From John Witherspoon, *The Collector*,  
(April, 1956), j340

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- 20 From Jeremiah Manning, NN
- 20 From William Scudder, NN
- 21 Order, Court-Martial Sentences, *N.J. Gazette*, February 28, 1781
- 22 From William Scudder, NN
- 24 To George Washington, DLC:GW
- 26 From Josiah Foster, DLC:GW
- 26 From William Willcocks, NN
- 27 From Israel Shreve, DLC:GW
- March [1–6] From Alexander Dickey, NN
  - 1 From William Chamberlain, NN
  - 1 From Silas Condict, NN
  - 5 From John Taylor, NN
  - 6 From Alexander Dickey, NN
  - 6 From Joachim Hullick, NN
  - 6 From Daniel Marsh, NN
  - 6 From John Mathews, NN
  - 7 From William Chamberlain, NN
  - 7 From John Compton, NN
  - 7 From Levi Dunn, NN
  - 10 From Thomas Randall, NN
  - 12 From John Mauritius Goetschius, NN
  - 14 From Sarah Jay, NN
  - 15 From Garrit Rapalje, NN
  - 16 From Jonathan Deare, NN
  - 17 From John Adam, NN
  - 18 From [Joseph] Phillips, NN
  - 20 From Joseph Biddle, NN
  - 23 From William C. Houston, NN
  - 23 From George Washington, NN
  - 24 From James Wilson, NNP

- 25 From Anthony Blecker, NN
- 26 From William Lewis, NN
- 27 From Pierre De Peyster, NN
- 27 From David Miller, NN
- 28 From John Adam, NN
- 28 Proclamation, *N.J. Gazette*, April 4, 1781
- 29 From Joseph Harker, NN
- 30 From Samuel Huntington, NN
- 30 From John Scudder, NN
- 31 From Samuel Leake, NN
- 31 From Catherine Ludlow, NN
- April 1 From Samuel Carhart and Thomas Seabrook, NN
  - 1 From Henry Brockholst Livingston, NN
  - 2 From David Forman, NN
  - 2 From Abraham Skinner, NN
  - 3 From John Scudder, NN
  - 5 From John Witherspoon, NN
  - 10 From Moses Scott, NN
  - 11 From George Duffield, NN
  - 13 From Robert Livingston, NN
  - 15 From George Clinton, NN
  - 15 From William C. Houston, NN
  - 16 From Matthew Freeman, NN
  - 17 From Elias Boudinot, NN
  - 17 From Adam Hyler, NN
  - 18 From Jean Holker, NN
  - 18 From Joseph Reed, NN
  - 19 From Helena Brasher, NN
  - 19 From Samuel Huntington, Nj
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- 20 From Jeremiah Manning, NN
- 21 From Samuel Huntington, Nj
- 22 From William Chamberlain, NN
- 22 From Josiah Hornblower, NN
- 24 From B. Alexander, NN
- 25 From John Jay, NNC
- 26 From William Grayson, NN
- 29 From Joseph Reed, NN
- 30 From Charles Stewart, NN
- May [1–29] From Thomas Hutchins, NN
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County, Nj
- 1 From Matthew Freeman, NN
- 1 From Abraham Skinner, NN
- 2 From Thomas Hynott, NN
- 2 From Silvanus Seely, Nj
- 2 From Robert Troup, NN
- 3 From Levinus Clarkson, NN
- 3 From Clarkson Edgar, NN
- 4 From James Davidson, NN
- 4 From Peter Tallman, NN
- 5 From Isaac Gillam, MHi
- 5 Petition of the Inhabitants of Newark,  
MHi
- 5 From Joseph Phillips, NN
- 5 From William Peartree Smith, NN
- 5 From John Taylor, NN
- 6 From Asher Holmes, NN
- 7 From Isaac Gillam, NN
- 8 From George Washington, Nj
- 8 From John Witherspoon, NN

- 9 From Thomas Lee, NN
- 12 From Benjamin Pierson, Jr., NN
- 13 From William Chamberlain, NN
- 14 From Samuel Demarest, NN
- 14 From Samuel Huntington, DNA:PCC, 15
- 14 From John Outwater, NN
- 15 Petition of Peter Sandford, MHi
- 18 From William C. Houston, NN
- 20 From Samuel Forman, NN
- 22 From Moses Hazen, NN
- 22 From Peter Schenck, NN
- 25 From James Burnside, NN
- 28 From Alexander MacWhorter, NN
- 29 From John Mathews, NN
- 30 From William Bocher, NN
- 30 From Gouverneur Morris, NN
- June 2 From Henry Van Dike, NN
- 3 From Jacob G. Diriks, NN
- 3 From William Trent, NN
- 5 From William C. Houston, NN
- 5 From Mary King, NN
- 6 To John Livingston, MHi
- 7 From Thomas Hutchins, MHi
- 9 From James Talman, NN
- 9 From George Washington, NN
- 12 From Elias Dayton, NN
- 12 From William C. Houston, NN
- 12 From William C. Houston, NN
- 14 From William C. Houston, NN
- 15 From Robert Hude, NN
- 15 From George Washington, NN

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- 20 From Malcolm W. Conny, NN
- 20 From William C. Houston, NN
- 21 From Asher Holmes, NN
- 22 From John Beatty, NN
- 22 From Philemon Dickinson, NN
- 22 From Jonathan Elmer, NN
- 22 From Nathaniel Heard, NN
- 23 From Richard Stevens and Joseph Beavers,  
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- 23 From Henry Van Dike, NN
- 24 From John Outwater, NN
- 24 From Nathaniel Scudder, NN
- 27 Petition of Ann Arents, MHi
- 27 From James Bonnel, NN
- 28 From Asher Holmes, NN
- 28 From Lewis Le Grand, NN
- July 3 From John Beatty, NN
- 4 From William Crane, NN
- 5 From William Grayson, NN
- 5 From Jacob Phillips, NN
- 6 Petition of the Inhabitants of Woodbridge,  
MHi
- 11 From Jonathan Deare, Nj
- 11 From Thomas Seabrook, MHi
- 12 From Kitty Ten Eyck, NN
- 14 From Jonathan Deare, Nj
- 14 From Jacob Phillips, NN
- 16 From Joshua Mersereau, PHarH
- 18 From John Brown, PHarH
- 20 From Silvanus Seeley, NN
- 23 From Isaac Gillam, NN

- 23 To Jonathan Trumbull, Ct  
25 From Thomas McKean, NN  
25 From Thomas McKean, NN  
25 From Robert Morris, *Correspondence of the Executive*, 282–87  
30 Deposition of William Dunn and Joseph McDaniel (in hand of WL), MHi
- August 1 From Bowes Reed, NN  
4 From Isaac Gillam, MHi  
4 From Warner Mifflin, NN  
4 From Robert Morris [to the Governors of Delaware, Maryland, and New Jersey], Sparks, *Diplomatic Correspondence of the Revolution*, 2:425–26  
4 From William Shreve, NN  
5 From John Jacob Faesh, NN  
5 From Thomas Reynolds, NN  
7 From Robert Morris, NN  
8 From William Burnet, Sr., NN  
11 From Elias Boudinot, NN  
14 To Elias Boudinot, DLC:Boudinot  
15 From Samuel Forman, NN  
15 From John Outwater, NN  
16 From Levinus Clarkson, NN  
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22 From John Cox, NN  
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25 From [Thomas] Barclay, NN  
25 From Thomas McKean, NN  
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- 27 To [Stephen Lowry], PHi
- 31 From William Burnet, [Sr.], NN
- 31 From Samuel B. Webb, NN
- September [1–30] From Benjamin Winans, MHi
  - 1 From Levinus Clarkson, NN
  - 3 From Israel Shreve, NN
  - 4 From William Heath, NN
  - 4 From Elias Woodruff, NN
  - 6 From Robert Morris, NN
  - 6 From Joseph Reed, PHarH
  - 7 From Joseph Borden, NN
  - 7 From William Burnet, [Sr.], NN
  - 7 From Mary W. Hughes, NN
- 10 From Joseph Borden, NN
- 11 From John Cox, NN
- 11 From Samuel Hodgdon, NN
- 11 From Thomas McKean, NN
- 11 From Joseph Reed, NN
- 11 From Silvanus Seely, NN
- 12 From Thomas McKean, PHi
- 12 From John Scudder, NN
- 13 From William Burnet, Sr., NN
- 14 From Philip Hoffman, NN
- 17 From Elias Boudinot, NN
- 17 From Adam Hyler, NN
- 17 To Catharine Livingston, MHi
- 17 From Robert Morris, Nj
- 20 From Silas Conduct, NN
- 20 From Henry Brockholst Livingston, NN
- 21 From Jacob Arnold, NN
- 22 From Sidney Berry, NN

- 22 From William C. Houston, NN
- 23 Petition of the Inhabitants of Newark,  
MHi
- 24 From William Heath, NN
- 26 From Philemon Dickinson, NN
- 26 From Joseph Jenkins, NN
- 26 From John Taylor, NN
- 27 From John Moylan, Nj
- 28 From William Heath, NN
- 29 From Elias Boudinot, NN
- 29 From Thomas McKean, Private Collection  
of Ronald von Klaussen, New York, N.Y.
- 29 Petition on Behalf of Catherine Weaker,  
MHi
- 30 From Asher Randolph, NN
- October [1–31] Notes to Philip French, NN
  - 3 From E. Harris, Thomas Ewing, and Ladi  
Walling, NN
  - 6 From Philip Van Cortlandt, NN
  - 7 From T.P. [Pett], NN
  - 11 From Joseph Lindsly, NN
  - 12 From Asher Randolph, NN
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  - 18 From Silvanus Seely, NN
  - 20 From Elias Boudinot, NN
  - [20] From Asher Randolph, NN
  - 20 From William Semple, NN
  - 21 From Elias Boudinot, NN
  - 21 From D. Romeyn, NN
  - 22 From Robert Morris, DLC: Robert Morris

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- 22 From Robert Nichols, NN
- 23 From Robert Blair, NN
- 23 From Moses Scott, NN
- 28 From William Maxwell, NN
- 31 From Thomas McKean, *Correspondence of the Executive*, 291–94
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  - 4 Petition on Behalf of William Biggart, MHi
  - 5 To Ann Hait, MHi
  - 5 From John Hasse, NN
  - 6 From Robert Morris, NN
  - 7 From Henry Freeman, NN
  - 8 From John Franklin, NN
  - 11 From Levinus Clarkson, NN
  - 12 From Joseph Kirkbridge, NN
  - 12 From Robert R. Livingston, NN
  - 12 Proclamation, *N.J. Gazette*, November 21, 1781
  - 13 From Samuel Forman, NN
  - 14 Memorial of the N.J. Legislature to the Continental Congress, DNA:PCC, 68
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  - 28 From [Silvanus Seeley], NN
  - 29 From Isaac Smith, NN

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1 From William C. Houston, NN  
3 From E. Lawrence, NN  
3 From John Taylor, NN  
5 From Isaac Woodruff, Nj  
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DLC:Misc.  
10 From Elijah Weed, NN  
11 Bond of John Stevens, Jr., and John Ste-  
vens, Sr., NjHi  
12 From John Hanson, Nj  
13 From Joseph Hugg, NN  
13 From John Witherspoon, NN  
15 Petition of John Polhemus, John Riker, and  
John Mercer, Nj  
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22 From Samuel Allinson, NN  
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 10 From Abiel Akin, NHi  
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 15 From Richard Bache, PPAmp  
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 28 From Moses Scott, Private Collection of  
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- 28 From Abraham Skinner, *The Collector*  
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- 29 To David Forman, MHi
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- 5 From George Washington, Nj
- 6 From Benjamin Winans, Jr., MHi
- 7 To Elias Boudinot, DLC:Boudinot
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- 12 From George Washington, DLC:GW
- 14 From James Ewing, *The Collector* (Oct.–  
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- 14 From Ezra Stiles, Sedgwick, *Livingston*,  
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- 14 From an Unknown Person, *The Collector*  
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- 20 From James Bonnel, *The Collector* (July–  
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- 21 From John Dickinson, MH
- 23 To David Van Horne, MHi
- 24 From Jesse Hand, NHi
- 25 From Robert Troup, NN
- April 5 Proclamation, *N.J. Gazette*, April 10, 1782
- 11 To Elias Dayton, NjR
- 11 From James Latham, NjHi
- 13 From Henry B. Spears, MHi
- 15 To Elizabeth Hatkinson, MHi
- 15 From William Smith Livingston, NHi
- 18 From Azel Roe, NjR
- 19 Proclamation, *N.J. Gazette*, Apr. 24, 1782
- 19 From John Stevens, Sr., *The Collector* (Dec.,  
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- 20 From William Barber, *The Collector* (Sept.–Oct., 1956), j689
- 20 From Mary Boggs, *The Collector* (July–Aug., 1956), j570
- 20 From Peter Tallman, NjHi
- 22 Court Martial of Elias Romine (or Romeyn), *N.J. Gazette*, May 1, 1782
- 23 From William Moore, NHi
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  - 8 From George Washington, Nj
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  - 10 From Joseph Wheaton, *The Collector* (Apr., 1956), j314
  - 11 From Joseph Borden, Hartshorne Private Collection
  - 13 Proclamation, *N.J. Gazette*, May 15, 1782
  - 14 From Robert R. Livingston, NHi
  - 15 Proclamation [in Lord Stirling's Hand], NHi
  - 16 From Robert Morris, DLC:Robert Morris
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  - 20 Message to the Assembly, *General Assembly* (May 27–June 24, 1782), 7

- 24 From Philemon Dickinson, *The Collector*  
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- 15 Proclamation, *N.J. Gazette*, June 19, 1782
- 17–19 Warrant for Phoebe Little, Nj
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- 12 To Capt. Jonathan Dayton, Phillips Catalog
- 18 From John Swannick, ViU
- 21 From Samuel Hayes, NjR
- 22 From Prentrite Bowwen, NHi
- 24 From John Bayard, *The Collector* (July–Sept., 1964), E330
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- 27 From William Burnet, Sr., *The Collector* (Jan.–Feb., 1957), a21
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- 3 From Daniel Baldwin, NN
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- 6 From Elisha Lawrence, NN
- 6 From William Moore, NN
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- 7 From John W. Watkins, NN
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- 8 From Henry Brockholst Livingston, NN
- 9 From Benjamin Lincoln, NN
- 10 From William Burnet, Sr., NN
- 10 From Bowes Reed, NN
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- 12 From Joseph Beavers, NN
- 12 From Philip Lott, NN
- 12 From Ralph Macnair, NN
- 14 From John Witherspoon, NN
- 16 From Jacob Arnold, NN
- 17 To William Moore, *Pa. Archives*, 1st Series, 9: 618–19
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- 19 From John Holt, NN
- 20 From Henry Brockholst Livingston, MHi
- 21 From William Moore, PHarH
- 22 From Edward Winslow, NN
- 23 From Abraham Duryee, NN
- 24 From Robert Troup, NN
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- 26 From Henry Wisner, NN
- 28 From Gouverneur Morris, NN
- 29 From Henry Brockholst Livingston, NN
- 29 From Charles McDavitt, Sr., NN
- 30 From Levinus Clarkson, NN
- 30 From James Ewing, NN
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- 4 From Ralph Macnair, NN
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- 6 From George Walton, NN
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- 8 From Abraham Skinner, NN
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- 30 From Elias Boudinot, NN
- 30 Proclamation, *N.J. Gazette*, Nov. 6, 1782
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- 28 From Susanna Armstrong, NN
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## 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*. 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); James McLachlan, *Princetonians, A Biographical Dictionary, 1748–1785*, 3 vols. (Princeton, N.J., 1976); and John Littell, *Family Records or Genealogies of the First Settlers of Passaic Valley and Vicinity* (Baltimore, Md., 1976).

Pennsylvania figures were identified in the *Pennsylvania Magazine of*

*History and Biography* and the *Encyclopedia of Pennsylvania Biography* (New York, 1914).

Sources for identifying Vermont and New Hampshire inhabitants included Vermont Historical Society, *Collections of the Vermont Historical Society*, vols. 1 and 2 (Montpelier, Vt., 1870–1871); Hiland Hall, *The History of Vermont from its Discovery to its Admission into the Union in 1791* (Albany, N.Y., 1868); Matt Bushnell Jones, *Vermont in the Making, 1750–1777* (Cambridge, Mass., 1939); and Nathaniel Bouton, ed., *Documents and Records Relating to the State of New Hampshire during the Period of the American Revolution, from 1776 to 1783 . . .*, vol. 8 (Concord, N.H., 1874).

American military and naval 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); 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; Gardner W. Allen, *A Naval History of the American Revolution*, vols. 1 and 2 (New York, 1962); and Library of Congress, *Naval Records of the American Revolution, 1775–1788* (Washington, D.C., 1906).

British officers were researched in Worthington Chauncey Ford, comp., *British Officers Serving in the American Revolution, 1774–1783* (Brooklyn, 1897), and Philip R. N. Katcher, *Encyclopedia of British, Provincial, and German Army Units, 1775–1783* (Harrisburg, 1973). European military figures were identified with the help of Mark Mayo Boatner, III, *Encyclopedia of the American Revolution* (New York, 1966); Trevor N. Dupuy and Gay M. Hammerman, eds., *People and Events of the American Revolution* (New York, 1974); and Louis Gabriel Michaud, ed., *Biographie Universelle Ancienne et Moderne* (Paris, 1843).

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); Gregory Palmer, *Biographical Sketches of Loyalists of the American Revolution* (Westport and Camden, 1984); Hugh Edward Egerton, ed., *The Royal Commission on the Losses and Services of American Loyalists, 1783 to 1785* (New York, 1971, reprint ed.); and 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) records were also used.

- ADAM, JOHN: Essex Co.; maj., Cont. army; commissary gen. of prisoners at Elizabethtown, 1779 to end of war.
- ADAMS, JOHN (1735–1826): Mass.; commissioner to France, 1777; minister plenipotentiary to the United Provinces, 1781; commissioner to Paris peace conference, 1782–1783 (see vols. 1, 2, & 3).
- ADAMS, SAMUEL (1722–1803): Mass.; Cont. Congress, 1774–1782.
- AKERS, THOMAS: Amwell, Hunterdon Co.; ens., 3d regt., Hunterdon, 1777.
- AKERS, WILLIAM: Amwell, Hunterdon Co.; pvt., 1st regt., Hunterdon; cpl., 3d regt., Hunterdon.
- AKIN, ABIOL (ABIEL): Toms River and Dover, Monmouth Co.; land broker; agent, Vice Admiralty Court, Monmouth.
- ALEXANDER, SARAH LIVINGSTON (LADY STIRLING) (1725–1804): Basking Ridge, Bernardston, Somerset Co.; wife of William Alexander (Lord Stirling); sister of WL (see vol. 2).
- ALEXANDER, WILLIAM (LORD STIRLING) (1726–1783): Basking Ridge, Somerset Co.; married WL's sister, Sarah, 1748; maj. gen., Cont. army, 1777–1783 (see vols. 1, 2, & 3).
- ALLEN, ETHAN (1738–1789): Vt.; lt. col., N. H. militia; col., Cont. army, 1778; retired, 1779; published *A Narrative of Col. Allen's Captivity*, 1779; maj. gen., Vt. militia, 1779; attempted negotiation of separate treaty with Great Britain favorable to Vt., 1780–1783 (see vol. 1).
- ALLINSON, SAMUEL (1739–1791): Burlington, Burlington Co., later Waterford, Gloucester Co.; Quaker; attorney; farmer; wrote *Reasons against War, and Paying Taxes for It*, 1780 (see vols. 2 & 3).
- ANDERSON, ARCHIBALD (d. 1781): Maryland; 2d lt. to capt., Maryland Cont. army, 1776; maj., 1777, brigade maj., 1778; killed at battle of Guilford Courthouse, N.C.
- ANDERSON, DAVID: Monmouth Co.; capt., 1st Monmouth militia; capt., Col. Asher Holmes's regt., state troops.
- ANDERSON, GEORGE (1751–1839): Burlington Co.; capt., Burlington Co. militia; N. J. General Assembly, 1781, 1783.
- ANDRÉ, JOHN (1751–1780): Great Britain; major, British army; aide-de-camp to Sir Henry Clinton; executed as a spy by Americans, Oct. 2, 1780 (see vol. 3).
- ARBUTHNOT, MARRIOT (ca. 1711–1794): Great Britain; adm., British navy, 1778; comdr., North American station, 1779–1781.
- ARMAND-TUFFIN, CHARLES (MARQUIS DE LA ROVERIE) (1750–1793): France; col., 3d cavalry, Pulaski Legion, Cont. army, 1777; legion comdr., 1779; brig. gen., 1783 (see vols. 2 & 3).
- ARMSTRONG, JAMES: Va.; capt., Cont. army, Lt. Col. Henry Lee's Legion of Cavalry, Va. regt., 1777.
- ARNOLD, BENEDICT (1741–1801): Conn.; maj. gen. and mil. commandant at Philadelphia, June 19, 1778; charged with misconduct by Philadelphia Supreme Executive Court, Feb. 1779; resigned command, Mar. 1779; court-martialed, Dec. 23, 1779–Jan. 26, 1780; exonerated with reprimand, Feb. 1780; comdr. of West Point, Aug. 3, 1780; deserted, Sept. 25, 1780; brig. gen., British army, 1780–1781; resident of Britain, 1782 (see vols. 1, 2, & 3).
- ARNOLD, MARGARET SHIPPEN (1760–1804): Philadelphia; married Benedict Arnold, Apr. 1779; expelled from Pa. by Supreme Executive Council, Oct. 1780; sailed to England, Dec. 1782.
- AYERS (AYRES), JONATHAN (1722–1782): Stowe Creek, Cumberland Co.; N. J. Assembly, Oct. 1775–Aug. 1776; j.-p., Cumberland Co., from Sept. 6, 1776.
- BACHE, RICHARD (1737–1811): Settle, West Riding, Yorkshire, England, later Philadelphia, Pa.; U.S. postmaster general, 1776–1782; son-in-law of Benjamin Franklin.
- BAILLIE, WILLIAM (d. 1782): Great Britain; lt. col., East India Company, 1759; brevet capt., 1763; substantive capt., 1764; maj., 1772; lt. col., 1775; comdr. at Pondicherry, 1779; defeated by Hyder Ali, taken prisoner, 1780; died in captivity, Seringapatam, 1782.
- BALDWIN, ELIAS: Newark, Essex Co.; lt., Essex militia; 2d lt., Spencer's Continental Regt., 1777.

- BALL, JOSEPH** (1752–1821): Philadelphia, Pa.; Quaker; merchant; proprietor, Batsto Iron Works, Burlington Co., during Revolution; took oath of allegiance to Pa., Sept. 10, 1777; denounced by B. Edgar Joel for trading with the British, Dec. 1780; jailed in Gloucester, then Bergen Co.; involved in Robert Morris's scheme to restore public credit after war.
- BARBER, FRANCIS** (1751–1783): Elizabethtown, Essex Co.; principal, Old N.J. Academy; maj. to lt. col., Cont. army, Oct. 1776; wounded at battle of Monmouth, June 28, 1778, also at Newtown, 1779, and Yorktown, 1781; aide-de-camp to Washington, 1778; deputy adj. gen., 1780; transferred to 1st N.J., Jan. 1, 1781; col., 2nd N.J., Jan. 7, 1783; killed by a falling tree, Feb. 11, 1783 (see vols. 2 and 3).
- BAREMORE, LEWIS**: ens., 3d Regt., Middlesex; court-martialed, Mar. 15, 1781; cashiered and reduced to ranks, Mar. 23, 1781.
- BARRET, WILLIAM** (d. 1781): Va.; capt., Washington's Cavalry; killed in southern campaign, Mar. 15, 1781.
- BARRY, JOHN** (1745–1803): Tacumshane, Ireland, later Philadelphia, Pa.: capt., Cont. Navy, comdr., *Lexington*, 1776, *Effingham*, *Raleigh*, and *Alliance*, 1781–1782.
- BARTON, JOSEPH** (b. ca. 1723): Newton, Sussex Co.; Loyalist; lt. col., N.J. Volunteers, 1776; captured on Staten Island, Aug. 22, 1777; retired, 1781; moved to Nova Scotia, Canada, after war (see vol. 2).
- BATES, JOHN**: South Ward, New Brunswick, Middlesex; lt., privateer, 1782.
- BAUDOINE (BANDOINE), JOHN**: Middlesex Co.; capt.; privateer; comdr., gun boat *Revenge*, 1782.
- BEACH, ABRAHAM** (1740–1828): Cheshire, Conn., later New Brunswick, N.J., and N.Y.C.; Loyalist; rector of Christ Church (Church of England), New Brunswick, 1767 to close of war; member of board, Queen's College (Rutgers), ca. 1767; appointed temporary missionary at Amboy, 1783.
- 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; practiced medicine, Princeton, N.J.; pres., Medical Society of N.J., 1782 (see vols. 2 & 3).
- BEAVERS, JOSEPH** (1728–1816): Alexandria, Hunterdon Co.; col., Hunterdon militia, 1776–1783; surveyor, j.p., 1771, 1781; judge of common pleas, Hunterdon, 1783 (see vols. 2 & 3).
- BECKWITH, GEORGE** (1753–1823): Great Britain; ens., British army in America, 1771; led British advance on Elizabethtown and New Brunswick, 1776; capt., aide-de-camp to Lt. Gen. William Knyphausen, 1780; handled administrative details of Arnold's treason, 1780; assistant to Oliver DeLancey in reorganizing British intelligence service, 1781 to close of war.
- BELCHER, JONATHAN** (1682–1757): Cambridge, Mass., later Elizabethtown, N.J.; merchant; member, Mass. Council, 1718–1729; gov., Mass. and N.H., 1730; dismissed from both offices, 1741; gov., N.J., 1746–1757; active in founding College of N.J. (Princeton).
- BELL, THOMAS**: Philadelphia, Pa.; Cont. navy; comdr., *Chevalier de la Luzerne*, 1779 to at least 1781; capt., *United States*, Dec. 1783.
- BENSON, EGBERT** (1746–1833): N.Y.C. and Jamaica, L.I.; attorney; deputy to Provincial Convention, 1775; member, Council of Safety, 1777–1778; atty. genl., N.Y., 1777–1789; member, N.Y. Assembly, 1777–1781, 1788; commissioner directing embarkation of Loyalist refugees, 1783.
- BERRY, SIDNEY** (1745–1820): born in Bedminster, Somerset Co.; Hunterdon militia, 1776; col., 1777; assistant quartermaster, quartermaster, 1778; settled in N.Y. after war (see vol. 2).
- BIDDLE, CLEMENT** (1740–1814): Pa.; commissary gen. of forage, Cont. army, 1777–1780; col., quartermaster gen., Pa., 1781 to end of war (see vols. 1, 2, & 3).
- BIGALOW (BIGELOW), JOEL**: Cumberland Co., Vt.; adj. in Charles Phelps's movement to reestablish N.Y. jurisdiction of Vt.
- BISHOP, DAVID** (ca. 1750–1814): Amwell, Hunterdon Co.; maj. and adj., Hunterdon militia (see vol. 3).

- BLAINE, EPHRAIM** (1741–1804): Pa.; deputy commissary gen. of purchases, Cont. army, 1777; commissary gen. of purchases, 1780–1782 (see vols. 2 & 3).
- BLANCH, THOMAS** (1740–1823): Bergen Co.; capt., Bergen militia (see vol. 3).
- BOND, WILLIAM**: Belvidere, Hunterdon Co.; capt. to lt. col., Hunterdon militia, 1776–1777.
- BORDEN, JOSEPH, JR.** (1755–1788): Bordentown, Burlington Co.; cont. loan officer for N.J., 1777–1785; judge and j.p. for Burlington Co., 1781.
- BOUDINOT, ELIAS** (1740–1821): Newark, Essex Co., later Burlington; attorney; brother of Elisha Boudinot; Cont. Congress, 1777–1778, 1781–1783; commissary gen. of prisoners, Cont. army, 1776–1779; pres. of Congress, 1782–1783; signed treaty of peace with England (see vols. 1, 2, & 3).
- BOUILLE, MARQUIS FRANCOIS CLAUDE AMOUR DE** (1739–1800): France; joined French army, 1753; gov., Guadeloupe, 1768–1774; gov., Martinique and St. Luce, 1777; brevet lt. gen., 1782 (see vol. 3).
- BRADFORD, WILLIAM** (1755–1795): Philadelphia, Pa.; capt., Pa. battalion, Cont. army, 1776; capt., 11th Pa., 1776; lt. col., deputy commissary gen. of musters, 1777–1779; brother of Thomas Bradford.
- BRANT, JOSEPH** (1742–1807): N.Y.; Mohawk Indian; translated *Book of Common Prayer* into Mohawk; British army, 1777; led Indian raids on American settlements in N.Y. and N.J., Oct. 1780; settled in Bradford, Ontario, after war (see vol. 3).
- BREARLEY (BREARLY), DAVID** (1745–1790): Trenton, Hunterdon Co.; chief justice, N.J. Supreme Court, 1779–1789 (see vol. 2).
- BREARLY (BREARLEY), JOSEPH** (1742–1805): Maidenhead, Hunterdon Co.; capt., 2d N.J., Cont. army, 1775–1777; maj., Hunterdon militia, 1777; brother of David Brearley.
- BRYAN, GEORGE** (1731–1791): Pa.; naval officer (customs), port of Philadelphia, 1776; v.p., Supreme Executive Council, Pa., 1777–1779; acting pres., 1778; delegate, Pa. Assembly, 1779–1780; judge, Supreme Court of Pa., 1780.
- BUDD, JOSEPH**: Burlington Co.; maj. 2d regt., Burlington militia, 1777; resigned, 1781.
- BUNTING (BUNTLING), JOSHUA** (1752–1808): Chesterfield, Gloucester Co.; tavern keeper; jailed on suspicion of trading with the enemy, but released, 1780.
- BURGOYNE, JOHN** (1722–1792): Great Britain; maj. gen., 1772; member of Parliament, 1768–1792; returned to America, 1777; lt. gen., 1777; surrendered at Saratoga, Oct. 17, 1777; in Mass., Nov. 1777–Apr. 1778; sailed for England, Apr. 15, 1778 (see vols. 1, 2, & 3).
- BURNET, JOHN**: Essex Co.; ens. to lt., Jersey Brigade; cashiered, Dec. 14, 1781.
- BURNET (BARNET), WILLIAM, SR.** (1730–1791): Newark, Essex Co.; chief physician and surgeon, general hospital, Cont. army, 1777; hospital physician and surgeon, Hospital Dept., Cont. army, Eastern Department, 1781–1782; Cont. Congress, 1780–1781 (see vols. 1 & 2).
- BURNEY, THOMAS**: Somerset Co.; counterfeiter; apprehended, Mar. 1780; escaped, Apr. 1780 (see vol. 3).
- 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 Loyalist sympathies, Nov. 24, 1781 (see vols. 2 & 3).
- CALVIN, HEZEKIAH**: Brotherton, Burlington Co.; Munsee tribe.
- CAMP, CALEB** (1736–1816): Newark, Essex Co.; Gen. Assembly, 1776–1782; speaker, 1778–1779 (see vol. 3).
- CAMPBELL, WILLIAM** (1745–1781): Augusta Co., Va.; col., Va. militia, 1777–1780; distinguished himself at battles of Kings Mt. and Guilford Courthouse.
- CAPE, JOHN**: Trenton, Hunterdon Co.; owner of the French Arms, a Trenton tavern; lt., Capt. Matthew Freeman's company, 1st regt. Middlesex; lt., Capt. Matthew Freeman's company, state troops.
- CAPELLEN, JOAN DERK, BARON VAN DER** (1741–1784): Netherlands; philosopher; pamphleteer; statesman sympathetic to American cause (see vols. 2 & 3).

- CARHART, SAMUEL: Middletown, Monmouth Co.; ens. to capt., Capt. John Burrowes's company, 1st regt. Monmouth; capt., state troops; prisoner of war; paroled.
- CARLE, ISRAEL (1757–1822): Trenton, Hunterdon Co.; capt., light horse, Hunterdon militia, 1777 until at least 1781.
- CARLETON, SIR GUY (1724–1808): Great Britain; maj. gen., British army, 1772; responsible for drafting the Quebec Act, 1774; gov. of Quebec, 1775; independent comdr. of British forces in Canada, 1775; returned to Great Britain, 1778; comdr. in chief in America, 1782–1783.
- CARMICHAEL, WILLIAM (d. 1795): Md.; Cont. Congress, 1778–1780; secretary to John Jay, minister to Spain, Sept. 1779; chargé d'affaires at Madrid, Spain, Apr. 20, 1782; served until 1794 (see vol. 3).
- CASWELL, RICHARD (d. 1789): N.C.; col., N.C. Partisan Rangers, 1776–1777; maj. gen., N.C. militia, 1780 to close of war; gov., N.C., 1776–1780 and 1785–1787.
- CATHERINE II (1729–1796): empress of Russia 1762–1796.
- CATELLINE, JOSEPH (b. 1750): Bernards, Somerset Co.; lt., Somerset militia; recruiting officer for Cont. army; Capt. John Outwater's company of state troops raised for defense of frontiers in Bergen Co., 1781; Capt. Peter Ward's company, 1782.
- CERISIER, ANTOINE-MARIE (1749–1828): Châtillon les Dombes, France; journalist and author in *The Netherlands during American Revolution*; returned to France prior to French Revolution; died loyal adherent of the Bourbons.
- CHAMBERLIN (CHAMBERLAIN), WILLIAM (1736–1817): Amwell, Hunterdon Co.; lt. col., Hunterdon militia, Sept. 9, 1777; cashiered, May 14, 1781 (see vol. 3).
- CHAMBERS, DAVID (1748–1842): Amwell, Bethlehem, Hunterdon Co.; col., Hunterdon militia, June 19, 1776; resigned May 28, 1779; tavern keeper in Nottingham, Burlington Co. (see vols. 2 & 3).
- CHANDLER, THOMAS BRADBURY (1726–1790): rector, St. John's Anglican Church, Elizabethtown; condemned colonial challenge to British authority and fled to England in 1775; returned to Elizabethtown pulpit in 1785.
- CHARLES I (1600–1649): king of England, 1625; 2nd son of James I of England; tried for treason by House of Commons; executed Jan. 30, 1649.
- CHARLES III (1716–1788): king of Spain, 1759–1788.
- CHARLOTTE (1744–1818): queen of Great Britain; married George III, Sept. 7, 1761 (see vols. 2 & 3).
- CHITTENDEN, THOMAS (1730–1797): East Guilford, Ct.; Vt. landholder; pres., Vt. Council of Safety, 1777; Vt. gov., 1778–1788, 1791–1797; participated in secret negotiations with British Gen. Frederick Haldimand, 1780–1783.
- CLARK (CLARKE), ABRAHAM (1726–1794): Elizabethtown, Essex Co.; lawyer; Cont. Congress, 1776–1778, 1779–1783, 1787–1789; Gen. Assembly, 1776, 1783–1785 (see vols. 2 & 3).
- CLARK, ELIJAH (1730–1795): Woolwich, Gloucester Co.; Provincial Congress, 1775–1776; lt. col., 3d battalion, Gloucester Co. militia, 1776–1777; Gen. Assembly, 1777; Gloucester Co. clerk, 1781.
- CLARKSON, DAVID (1726–1782): N.Y.; brother-in-law of WL through marriage to Susannah French Livingston's sister Elizabeth; vestryman, Trinity Church, N.Y.C., 1771–1777; Provincial Congress, N.Y., 1775; moved with family from Brooklyn, N.Y., to New Brunswick to escape British occupation of N.Y.C., 1776; returned, 1777 (see vol. 3).
- CLARKSON, LEVINUS (1740–1798): New Brunswick, North Ward, Middlesex Co.; merchant in Charleston, S.C., 1772–1775; moved to New Brunswick, N.J.; died in Jamaica, Long Island, N.Y.
- CLINTON, GEORGE (1739–1812): N.Y.; brother of James Clinton; brig. gen., N.Y. militia, 1775; brig. gen., Cont. army, Mar. 1779; gov., N.Y., June 1777–1795 (see vols. 2 & 3).
- CLINTON, SIR HENRY (1730–1795): Great Britain; member of Parliament, 1773; Carlisle Commission, 1778; maj. gen., British army, 1772; second in command of British forces in North America, Sept. 26, 1776; comdr. in chief, America, 1778–1782; m.p., 1790; gov. of Gibraltar, 1794 (see vol. 3).

- COCHRAN, JOHN (1730–1807): Pa.; physician; surgeon gen., 1777–1780; chief physician and surgeon, Cont. army, Oct. 1780; dir. gen. of military hospitals, Jan. 17, 1781, to end of war (see vol. 3).
- COLE, BENJAMIN (b. ca. 1755), Essex Co.; freeholder; pvt., Col. John Lamb's artillery, Cont. army; deserted prior to Sept. 1781.
- COLLINS, ISAAC (1746–1817): Burlington, Burlington Co., and Trenton, Hunterdon Co.; appointed state printer, Feb. 18, 1777; printer, *N.J. Gazette*, Dec. 1777–1786 (see vol. 3).
- CONDUCT, SILAS (1738–1801): Morristown, Morris Co.; Legislative Council, Sept. 1776–1780; Cont. Congress, 1781–1784 (see vols. 1, 2 & 3).
- COOK, JOHN (d. 1780): capt. to 2d maj., 2d regt., Monmouth militia, Oct. 13, 1777; killed at Block House, Toms River, July 1780 (see vol. 3).
- CORNBURY, EDWARD HYDE, LORD (1661–1723): England; notoriously corrupt gov. of N.Y. and N.J., 1702–1708.
- CORNWALLIS, CHARLES, LORD (1738–1805): Great Britain; maj. gen., British army, 1775; 2d in command, British forces in America, 1778; in command of British forces in the south, 1780–1781; defeated Horatio Gates at Camden, S.C., Aug. 16, 1780; defeated Nathanael Greene at Guilford Courthouse, N.C., Mar. 15, 1781; surrendered to Washington at Yorktown, Va., Oct. 19, 1781; gov. gen. and comdr. in chief in India, 1786; created Marquis Cornwallis, 1792; master gen. of ordinances, 1795–1801; viceroy and comdr. in chief in Ireland, 1798–1801 (see vol. 2).
- COVENHOVEN, JOHN (b. 1734): Freehold, Monmouth Co.; Gen. Assembly, 1776, 1781–1782 (see vol. 1).
- COWARD, JOHN (1756–1821): Upper Freehold, Monmouth Co.; farmer; 2d lt. in Capt. Peter Wikoff's company, 2d regt., Monmouth, 1777.
- COX (COXE), JOHN (1732–1793): b. Philadelphia; N.J.; merchant; N.J. landowner; owner of iron mills, Burlington Co.; lt. col., Cont. army; Privy Council, 1781–1783; returned to Philadelphia, 1793.
- CRAIG, JOHN (1733–1821): Essex Co.; capt., 1st regt., Essex Co.; capt., Maj. Samuel Hayes's battalion, state troops.
- CRANE, JACOB (d. 1794): Westfield Ward, Elizabethtown, Essex Co.; capt. to lt. col., Essex Co. militia; lt. col., Col. Asher Holmes's regt., state troops, 1779.
- CRANE, NATHAN (1762–1825): Egg Harbor, Monmouth Co.; adj., Monmouth Co. militia.
- CRANE, SILAS (1759–1829): Egg Harbor, Monmouth Co.; pvt. Monmouth Co. militia; Capt. Joseph Phillips's company, 2d battalion, 2d establishment, Cont. army.
- CRANE, WILLIAM (1747–1814): Essex Co.; maj., Essex Co. militia; lt. to capt., Col. Oliver Spencer's regt., Cont. army (see vol. 3).
- CRILLON, LOUIS DES BALBES DE BERTON (1717–1796): France; lt. gen. French army; led expedition that captured Minorca from English, 1782; led unsuccessful French and Spanish attack on Gibraltar, Sept. 1782.
- CULLY, JOHN (1760–1805): New Brunswick; cordwainer; cpl., 3d battalion, 2d establishment, Cont. army; deserted to British; arrested, June 11, 1781.
- CUMBERLAND, RICHARD (1732–1811): England; dramatist; private secretary to Lord Halifax, Board of Trade; Ulster secretary, 1761; clerk of reports and secretary to Board of Trade, ca. 1776; sent to Spain to negotiate treaty, 1780.
- CUNNINGHAM, WILLIAM (1717–1791): Great Britain; provost marshal of prisoners in Philadelphia and N.Y.C.
- CUSTER, JAMES: indentured servant acquired by Henry Laurens on a trip to Geneva, Switzerland; came to America with Laurens, 1774; remained in Laurens's service until 1780.
- DANA, FRANCIS (1743–1811): Mass. delegate to Cont. Congress, 1776–1778; American minister to Russia, 1780–1783 (see vol. 1).
- DARBY, GEORGE (d. 1790): Great Britain; lt. in navy, 1742; served at reduction of Martinique, 1761; vice adm., 1779; comdr. in chief, 1780; admiralty lord, 1780; relieved Gibraltar, 1781; rear adm., 1781.

DAVENPORT, RICHARD (d. 1782): Loyalist; wounded in attack on Toms River Block House on Mar. 24, 1782; killed at Barnegat Bay while on an expedition to destroy some saltworks.

DAVIDSON, WILLIAM LEE (1746–1781): N.C.; maj., 4th N.C., Apr. 1776; lt. col., 5th N.C., Oct. 1777; transferred to 3d N.C., June 1778; transferred to 1st N.C., June 1779; also brig. gen., N.C. militia; killed at Cowan's Ford, Feb. 1781.

DAYTON, ELIAS (1737–1807): Elizabethtown, Essex Co.; col., Cont. army, Feb. 9, 1776–1783; maj. gen. of militia; elected to Cont. Congress, Dec. 1778; declined, May 25, 1779; fought at Morristown and Yorktown; retired, 1783; returned to Elizabethtown to operate a general store (see vol. 3).

DAYTON, JONATHAN (1760–1824): Elizabethtown, Essex Co., son of Elias Dayton; paymaster, 3d battalion, 1st establishment, Feb. 7, 1776; paymaster, 3d battalion, 2d establishment; lt. and paymaster, 3d regt. to Feb. 1779; maj. and aide-de-camp to Maj. Gen. John Sullivan, May 1779; capt., 3d regt. to Mar. 1780; capt., 1st regt; discharged at close of war.

DEMAREST, DAVID (1736–1810): Hackensack, Bergen Co.; lt. to capt., Bergen militia.

DENNIS, JOHN (1726–1806): New Brunswick, Middlesex Co.; storekeeper; land agent.

DESTOUCHES, CHARLES–RENÉ DOMINIQUE SOCHET, CHEVALIER: France; naval commodore; comdr. of French squadron at Newport, R.I., 1780–1781.

DE WITT, JOHN (1625–1672): Dort, The Netherlands; Dutch statesman; adherent of oligarchical states-right party in opposition to the House of Orange; pensionary of Dort, 1650; grand pensionary of Holland, 1653–1672; murdered by a crowd of Orangist supporters.

DEY, RICHARD (1752–1811): Saddle River, Bergen Co.; maj., Bergen militia; Maj. Nathaniel Heard's brigade; maj., Col. Jacob Ford's battalion, state troops, 1776.

DICKINSON, JOHN (1732–1808): Pa. and Del.; brother of Philemon Dickinson; signer of constitution from Del.; Pa. dele-

gate, Cont. Congress, 1774–1776; Del. delegate, Cont. Congress, 1776–1777, 1779–1780; brig. gen. of Pa. militia; pres., Del., 1781; pres., Pa., 1782–1785 (see vols. 1 & 2).

DICKINSON, PHILEMON (1739–1809): Hunterdon Co.; brother of John Dickinson; maj. gen., N.J. militia from June 6, 1777, to end of war (see vols. 1, 2, & 3).

DIGBY, ROBERT (1732–1815): Great Britain; rear adm., 1779; naval comdr. in chief in North America, 1781–1783; adm., 1794.

DIRKS (DIRICKS, DIRKS), JACOB G.: The Netherlands; capt., Cont. army, Nov. 15, 1776; brevet lt. col., Nov. 5, 1778; honorably discharged, May 17, 1781 (see vols. 2 & 3).

DOBBS, WILLIAM (1718–1781): N.Y.; pilot and ship capt. (see vol. 2).

DUANE, JAMES (1733–1797): N.Y.; Cont. Congress, 1774–1783; mayor, N.Y.C., 1784–1789.

DUANE, MARIA LIVINGSTON (1739–1821): oldest daughter of Col. Robert Livingston, Jr., 3d lord of the manor, and the wife of James Duane.

DUMAS, CHARLES WILLIAM FREDERIC (1721–1796): Germany and Switzerland; moved to The Netherlands in 1750; agent of Cont. Congress in the Dutch Republic, 1776–1783 (see vol. 3).

DUNHAM, AZARIAH (1718–1790): Piscataway and New Brunswick, Middlesex Co.; commissary, military stores, state troops (see vols. 1 & 3).

DUNMORE, LORD. See John Murray.

DURPORTAIL, LOUIS LE BEGUE DE PRESLE, CHEVALIER (1743–1802): chosen by French government in response to Benjamin Franklin's request for military engineers; appointed col. of engineers by Congress, Feb. 1777; promoted to brig. gen. and chief of engineers, Nov. 1777; taken prisoner, May 1780; exchanged, Oct. 1780; played vital role at Yorktown; maj. gen., 1781.

EDWARDS, JOSEPH (1757–1845): lt., Cape May Co. militia, 1775; cpl. in N.J. Cont. Line; capt. of the privateer *Luck and Fortune*.

- ELLIOT, JOHN (1742–1820): Philadelphia; glassmaker, cabinetmaker; 2d lt., 4th Pa., Jan. 1777; resigned, Jan. 1778.
- ELMER, JONATHAN (1745–1817): Hopewell, Cumberland Co.; nephew of Theophilus Elmer; physician; Cont. Congress, 1776–1778, 1781–1784; Legislative Council, 1780 (see vols. 1 & 2).
- ELY, GEORGE (1745–1820): Hunterdon Co.; capt. to col., Hunterdon militia, 1776–1783.
- ESTAING, CHARLES HECTOR THÉODAT, COMTE D' (1729–1794): vice adm., French navy, 1778; comdr., French fleet in American waters, 1778; returned to France, 1780; commanded fleet en route from Cádiz to Brest, 1781 (see vols. 1, 2, & 3).
- EWING, JAMES (d. 1823): Greenwich, Cumberland Co.; paymaster, N.J. militia; lt., 2d battalion, Cumberland; Gen. Assembly, 1778; commissioner of Cont. loan office for N.J., 1785.
- FELL, JOHN (1721–1798): Franklin, Bergen Co.; merchant; father of Peter Fell; Cont. Congress, 1778–1780; N.J. Council, 1782–1783 (see vols. 1, 2, & 3).
- FERGUSON, PATRICK (1744–1780): Great Britain; capt., British army, 1769; maj., Oct. 1779; killed at King's Mountain, S.C., Oct. 9, 1780 (see vol. 2).
- FISHER, CHARLES: Windsor, Middlesex Co.; lt., 3d regt., Middlesex militia.
- FISHER, SAMUEL ROWLAND (1745–1834): Philadelphia, Pa.; merchant; Quaker; Loyalist; convicted of conveying intelligence to British, jailed, June 1779; pardoned and released by Joseph Reed, July 1781.
- FITZRANDOLPH, ASHER (1755–1817): Woodbridge, Middlesex Co.; ensign, Middlesex militia, Dec. 26, 1780; lt., state troops, Aug. 1781; capt., Middlesex militia, Dec. 29, 1781; spy for Americans acting as conduit between N.Y.C. informant and Washington, 1781.
- FITZRANDOLPH, LEWIS (1756–1822): Middlesex Co.; ens., Middlesex militia; ens., Capt. Asher FitzRandolph's company, state troops; captured by British, Jan. 1781.
- FITZRANDOLPH, NATHANIEL (1748–1780): Middlesex Co.; capt., Middlesex militia; taken prisoner, 1779; released, May 26, 1780; died of wounds, July 23, 1780 (see vol. 3).
- FLORIDABLANCA, JOSÉ MONINO Y REDONDO, CONDE DE (1728–1808): Spain; raised to count by Charles III, 1773; foreign secretary, 1776; first secretary of Spanish Foreign Office, 1777–1792 (see vol. 3).
- FORMAN, DAVID (1745–1797): Freehold, Monmouth Co.; col., brig. gen., N.J. militia, Mar. 5, 1777, to at least July 1, 1778; reported on movements of British ships near coast, June 1780 to late 1782; judge, Court of Common Pleas, Monmouth; j.p. (see vols. 1, 2, & 3).
- FORMAN, SAMUEL (1714–1792): Monmouth Co.; capt., 2d regt; lt. col., Monmouth militia, Oct. 25, 1775; col., battalion, detached militia, July 18, 1776; col., 2d regt., Monmouth militia, May 23, 1777; resigned, 1777; commissioner of forfeited estates, Monmouth, 1778 to at least 1780 (see vols. 1 & 3).
- FOSTER, JOSIAH (1743–1820): Evesham, Burlington Co.; Committee of Observation, Burlington, 1774; N.J. Gen. Assembly, 1779.
- FOX, CHARLES JAMES (1749–1806): Great Britain; jr. lord of admiralty, 1770–1772; jr. lord of treasury, 1772; dismissed, 1774; leader of Whig opposition to Lord North's American policy, 1774; foreign secretary, 1782; jt. secretary of state, Apr. 1783; dismissed, Dec. 1783.
- FRANKLIN, BENJAMIN (1706–1790): Pa.; father of William Franklin; minister plenipotentiary to France, 1778 to end of war (see vols. 1, 2, & 3).
- FRANKLIN, WILLIAM (1731–1813): son of Benjamin Franklin; last royal governor of N.J.; Loyalist; held in captivity in Conn., 1776–1778; exchanged, Oct. 1778; pres., Board of Associated Loyalists, 1780; sailed for England at end of war (see vols. 1, 2, & 3).
- FRANKS, DAVID (1720–1798): Pa.; Loyalist; commissary of British prisoners held in Philadelphia to 1778; arrested for attempting to transmit letter treasonous to American cause; banished from Pa., moved to N.Y., 1780; sailed for England (see vol. 3).

- FREDERICK II (1712–1786): king of Prussia, 1740–1786.
- FREEMAN, MATTHEW (1734–1824): Woodbrige, Middlesex Co.; 2d lt. to capt., Middlesex militia, 1776–1780 (see vol. 3).
- FRELINGHUYSEN (VRELINGHUSEN), FREDERICK (1753–1804): Hillsborough, Somerset Co.; attorney; lt. col., Somerset militia, Feb. 28, 1777, to Nov. 1778; Cont. Congress, 1778–1779, 1782–1783; commanded militia detachments, 1779–1780; N.J. Assembly, 1784 (see vols. 1, 2, & 3).
- FURMAN, MOORE (1728–1808): Kingwood, Hunterdon Co.; merchant; j.p., Sept. 7, 1776; judge of pleas, Mar. 11, 1777; deputy quartermaster gen., Cont. army, Jan. 1778–Sept. 1780; paymaster for recruits, Cont. army, Apr. 1778 (see vols. 2 & 3).
- GALLOWAY, JOSEPH (ca. 1729–1803): Pa.; Loyalist; Cont. Congress, 1774, 1775; joined British army at N.Y.C., Dec. 1776; settled in England, 1778 (see vol. 3).
- GARDOQUI, DON DIEGO DE: Spanish agent; handled Spanish financial assistance to America; appointed chargé d'affaires to the U.S. in 1784.
- GARVEY, PATRICK: Philadelphia; trader; assistant apothecary; accused of commerce with British in N.Y.; jailed in Philadelphia, Nov. 1780; transferred to Gloucester Co. and then Burlington Co. jail, Feb. 1781.
- GATES, HORATIO (ca. 1728–1806): brig. gen., Cont. army, June 15, 1775; maj. gen., May 16, 1776; comdr., Northern Department, Aug. 4, 1777; pres., Board of War, Nov. 27, 1777; returned to command Northern Department, Apr. 15, 1778; comdr. of Eastern Department, Oct. 22, 1778; retired to his Va. plantation, winter 1780; took command of army in Southern Department, June 13, 1780; lost battle of Camden, Aug. 16, 1780; replaced by General Greene, Oct. 1780.
- GEARY, SIR FRANCIS (1710–1796): Great Britain; adm.; entered navy, 1727; rear adm., 1759; adm. of the Blue, 1775; of the White, 1778; baronet, 1782.
- GEORGE III (1738–1820): king of Great Britain, 1760–1820.
- GÉRARD, CONRAD ALEXANDRE (1729–1790): France; diplomat; minister plenipotentiary to the U.S., July 1778; resigned due to poor health; returned to France, Oct. 1779 (see vols. 2 & 3).
- 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 vols. 2 & 3).
- GILLAM, ISAAC (1760–1781): Newark, Essex Co.; capt., 2d regt, Essex; capt., state troops.
- GILLILAND, DAVID (1747–1784): New Brunswick, North Ward, Middlesex Co.; lt., 3d. regt., Middlesex.
- GILLON, ALEXANDER (1741–1794): Rotterdam, The Netherlands; settled in Charleston, S.C., 1766; merchant; S.C. Provincial Congress, 1775, 1776; S.C. militia, 1775; commodore of S.C. navy, 1778; sent to France to procure vessels.
- GOENS, RIJKLOF MICHAEL VAN: Utrecht, The Netherlands; university professor; pamphleteer for Orangist cause.
- GOETSCHUIS, JOHN MAURITIUS (ca. 1753–1791): Hackensack, Bergen Co.; capt., Bergen militia, June 29, 1776; maj., July 18, 1776.
- GRASSE, FRANCIS JOSEPH PAUL, COMTE DE (1722–1788): France; rear adm., French navy; taken prisoner, Apr. 1782; released on parole, Aug. 1782 (see vol. 3).
- GRAVES, THOMAS (1725–1802): Great Britain; rear adm.; second in command to Adm. Arbuthnot on the American station, 1780; defeated by Adm. de Grasse at battle of the Capes of the Chesapeake, Sept. 1781.
- GREENE, NATHANIEL (1742–1786): R.I.; maj. gen. and quartermaster gen., Cont. army, 1778–1780; commanded the Southern Department, 1780–1783; engaged British army in Va., N.C., and S.C., 1781 (see vols. 1, 2, & 3).
- GROWENDYCK, SAMUEL (1740–1802): Kingwood, Hunterdon Co.; capt. to maj., 2d regt., Hunterdon; maj., state troops.
- GUICHON LUC URBAIN DE BOUEXIC, COMTE DE (1712–1790): France; adm., French navy; fought at battle off Ushant, France, July 27, 1779; lost fleet of transports he was convoying to the West Indies, Sept. 1780; defeated at battle of Ushant, Dec. 12, 1781.

- HAGAMAN (HAGERMAN), DENNIS: Amwell, Hunterdon Co.; ens. to capt., Hunterdon militia, 1776–1782.
- HALDIMAND, SIR FREDERICK (1718–1791): Switzerland, Great Britain; lt. gen., Florida, 1766–1778; gov. and comdr. in chief of Canada, 1778–1785.
- HALSTED (HALSTEAD), JOANNA: Elizabethtown, Essex Co.; wife of Matthias Halstead (see vol. 3).
- HALSTED (HALSTEAD), MATTHIAS (1759–1824): Elizabethtown, Essex Co.; silver-smith; brigade maj., staff of Gen. William Winds; maj. and aide-de-camp, staff of Gen. Philemon Dickinson, ca. 1776–1779; j.p., Essex, Nov. 24, 1779; captured, Mar. 24, 1780; released, late 1780 (see vols. 1 & 3).
- HAMILTON, ALEXANDER (1757–1804): N.Y.; lt. col. and aide-de-camp to George Washington, Mar. 1, 1777–Dec. 23, 1783; brevet col., Sept. 30, 1783; maj. gen. and inspector-gen., U.S. army, July 19, 1798; discharged 1800; died of wounds received in duel with Aaron Burr.
- HANCOCK, JOHN (1737–1793): Mass.; Cont. Congress, 1775–1780; pres., Cont. Congress, May 24, 1775–Nov. 1, 1777; gov., Mass., Sept., 1780–1793.
- HAND, JESSIE (1738–1791): Cape May Co.; Committee of Safety, 1775; N.J. Provincial Assembly, 1775–1776; Committee of Public Safety, 1777–1781; State Council, 1779–1784.
- HANKINSON, AARON (1735–1806): Sussex Co.; col., Sussex militia, Feb. 28, 1777, to at least Aug. 1780 (see vol. 2).
- HANSON, JOHN (1721–1783): Maryland; state representative, 1757–1779; Cont. Congress, 1780–1782; pres., Cont. Congress, Nov. 5, 1781–1782.
- HARDENBERGH (HARTENBERGH), JACOB R. (ca. 1738–1790): Raritan, Somerset Co.; Dutch Reformed minister; professor, trustee, pres. pro tem., Queen's College (Rutgers), from 1776 (see vol. 2).
- HARRIS, JAMES (1746–1820): Great Britain; first earl of Malmesbury; diplomat; British ambassador to Russia, 1777–1783; m.p., 1770–1774, 1780–1784; ambassador to The Netherlands, 1784–1788.
- HARRISON, BENJAMIN (1726–1791): Va.; Cont. Congress, 1774–1778; member, House of Delegates, 1776–1782, 1787–1791; gov., Va., 1782–1784.
- HATFIELD, JOHN SMITH (1749–d. ca. 1800): Elizabethtown, Essex Co.; carpenter; joined British army, 1776, and served as guide; estate confiscated and sold, 1779; settled in New Brunswick, Canada, after war and ran packet boat to N.Y.C.
- HATHAWAY, BENONI (1743–1823): Morris Co.; 2d lt. to lt. col., Morris militia, from Sept. 9, 1777, to 1780; state troops, Oct. 9, 1779–1780 (see vol. 3).
- HAYES (HAYS), SAMUEL (1728–1811): Newark, Essex Co.; freeholder; adj., 2d regt., Essex, Feb. 1776; adj., Col. Edward Thomas's battalion, detached militia, July 1776; maj., Col. Oliver Spencer's battalion, state troops, Mar. 1777; 1st maj., 2d regt., Essex, June 1777; 1st maj., state troops, June 1780; maj., state troops, Dec. 1781; resigned, Nov. 1783.
- HAYNE, ISAAC (1745–1781): S.C.; col., S.C. militia; taken prisoner at Charleston, May 12, 1780, and paroled; taken prisoner at Horse Shoe, S.C., July 8, 1781; condemned and hanged by the British as a spy without benefit of trial.
- HAZEN, MOSES (1733–1803): Mass.; farmer; lt. in British army on half pay when appointed col., 2d Canadian regt., Jan. 1776; brevet brig. gen., Cont. army, 1781–1783.
- 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, & 3).
- HEATH, WILLIAM (1737–1814): Roxbury, Mass.; maj. gen., 1776; commanded eastern district, 1777–1779, and lower Hudson, 1779–1783 (see vol. 2).
- HENDERSON, THOMAS (1743–1824): Freehold, Monmouth Co.; 2d maj., Col. Charles Stewart's battalion, Minute Men, Feb. 15, 1776; maj., Col. Benjamin Heard's battalion, June 14, 1776; lt., Col. David Forman's battalion, Heard's brigade; brigade maj., Monmouth (see vols. 2 & 3).

- HENDRICKSON, WILLIAM: wagoner, Monmouth Co. militia.
- HENRY, JAMES (1731–1804): Va.; House of Delegates, 1776–1777, 1779; Cont. Congress, 1780–1781; judge of the Va. Court of Admiralty, 1782–1788.
- HIGGINS, JUDIAH (1751–1824): Amwell, Hunterdon Co.; teamster; wagoner, N.J. militia.
- HILL, HENRY (1732–1798): Philadelphia; merchant; member of Pa. constitutional convention, 1776; leader of battalion of Associators during N.J. campaign; director, Bank of North America, 1781–1792; Pa. Assembly, 1780–1784.
- HOAGLAND (HOOGLAND), OKEY (OAKLEY): Chesterfield, Burlington Co.; capt. to lt. col., Burlington militia, 1777–1778; lt. col. to col., state troops, 1778–1780 (see vols. 1 & 3).
- HOFFMAN, ALIDA LIVINGSTON (1728–1790): sister of WL; married Henry Hanson, 1750, and Martin Hoffman, 1766; stepmother of Nicholas Hoffman (see vol. 3).
- HOFFMAN, SARAH OGDEN: wife of Alida Hoffman's stepson, Loyalist Nicholas Hoffman.
- HOLKER, JEAN (JOHN) (1745–1822): France; merchant; consul gen. for Pa., Del., N.J., and N.Y., 1778–1781; forced to resign, Oct. 3, 1781; associated with Robert Morris in the firm of Turnbull, Marmie and Company until Mar. 1784.
- HOLMES, ASHER (1740–1808): Lower Freehold, Monmouth Co.; maj. to lt. col., Monmouth militia, 1776–1779; sheriff, Monmouth, 1777; taken prisoner at Shoal Harbor, Dec. 30, 1779; col., state troops, 1780–1781; col., 1st regt., Monmouth Co. militia, 1780–1781 (see vol. 3).
- HOOD, SIR SAMUEL (1724–1816): Great Britain; adm.; commander, North American station, 1767–1770; created baronet, 1778; joined Adm. George Rodney in expedition against St. Eustatius, 1781; commanded rear in Adm. Thomas Graves's action off the Chesapeake, Sept. 1781; 2d in command under Rodney at Dominica, Apr. 1782; created Baron Hood of Catherington, 1782; m.p., Westminster, 1784.
- HOOPER, ROBERT LETTIS III (1730–1797): Trenton, Hunterdon Co.; N.J. deputy quartermaster-gen., 1777–1782.
- HOOPS, ROBERT: Trenton, Hunterdon Co. and Sussex Co.; acted as militia commissary, 1775; capt., maj., Hunterdon militia, 1776; deputy commissary gen. of issues, Cont. army, July 1–Aug. 6, 1777; asst. deputy quartermaster, Cont. army, Aug. 10, 1779–Aug. 19, 1780; appointed contractor for Sussex to purchase supplies for the Cont. army, Mar. 18, 1780; judge of common pleas, 1779; j.p. and judge of common pleas, Sussex, 1784; Legislative Council, 1777, 1784–1785.
- HOPKINS, PETER: Loyalist; elected to Gen. Assembly from Sussex Co., Dec. 1781.
- HOPPOCK (HOPPOCK), CORNELIUS: Amwell, Hunterdon Co.; capt., 3d regt., Hunterdon militia.
- HORNBLOWER, JOSIAH (1729–1809): Belleville, Essex Co.; Gen. Assembly, 1779, 1780; speaker, 1780; Cont. Congress, 1785, 1786.
- HORTON, NATHAN (b. ca. 1758): horse thief, counterfeiter; broke out of Morris Co. jail where he had been confined for passing counterfeit money, Sept. 4, 1780; captured at Dobbs Ferry, Dec. 1780.
- HOSKINS, JOHN: Burlington, Burlington Co.; barracks master, Burlington, 1765–1766; prominent elder of the Society of Friends.
- HOUGHTON (HOUTON), JOAB (1725–1798): Hopewell, Hunterdon Co.; capt. to col., Hunterdon militia, 1776–1779; j.p., Feb. 3, 1779 (see vol. 1).
- HOUSTON, WILLIAM CHURCHILL (1746–1788): Princeton, Somerset Co.; Gen. Assembly, 1777–1779; Cont. Congress, 1779–1781, 1784–1785; law practice, Trenton, N.J., 1781; declined election as comptroller of treasury, 1781; receiver of continental taxes, 1782–1785; clerk of N.J. Supreme Court, 1781–1788 (see vols. 2 & 3).
- HOWARD, CHARLES ABRAHAM: vestryman of the Anglican Christ Church in New Brunswick.
- HOWARD, JOHN: Hunterdon Co.; Morris Co.; pvt., 3d battalion, 1st establishment,

- 3d battalion, 2d establishment, Cont. army; Pvt., Capt. John Phillips's company, 3d regt., Hunterdon.
- HOWE, RICHARD, LORD (VISCOUNT HOWE) (1726–1799): Great Britain; British vice adm.; comdr. in chief, North American Station, 1776; returned to England, 1778; adm. 1782 (see vol. 1).
- HUDDY, JOSHUA (1735–1782): Shrewsbury, Monmouth Co.; lawyer; capt., Monmouth militia, 1777; capt., artillery company, N.J. militia, 1778; taken prisoner, Apr. 2, 1782, at Toms River, N.J.; hanged by Loyalists, Apr. 12, 1782, at Middletown Heights, N.J.
- HUDE, ROBERT: North Ward, New Brunswick, Middlesex Co.; agent of the N.J. Court of Admiralty.
- HUGG, JOSEPH (ca. 1741–1796): Gloucester Co.; clerk, Court of Peace and Pleas, Sept. 11, 1776; commissary for N.J. militia, Dec. 1776–1781; j.p., June 6, 1777, 1782, 1783.
- HUGHES, JOHN (1750–1818): Philadelphia; merchant; capt., Penn. Line, 1778 to end of war; commissioner of wagons, 1779–1781.
- HUMPHREYS, DAVID (1752–1818): Conn.; soldier; diplomat; merchant; poet; capt. to lt. col., Cont. army, 1777–1783; aide-de-camp to George Washington, June 23, 1780–1783.
- HUNT, JOHN (b. ca. 1748): real name Abraham Whitmore; horse thief; arrest ordered, 1776; broke jail in both Middlesex Co. and Philadelphia during Aug. 1779; recaptured Oct. 1779.
- HUNT, JOHN: Hopewell, Hunterdon Co.; capt., 1st regt., Hunterdon, from June 17, 1776.
- HUNTINGTON, SAMUEL (1731–1796): Conn.; Cont. Congress, 1776–1784; pres., Sept. 28, 1779–July 6, 1781.
- HUYLER, JOHN: capt., Bergen militia; twice captured.
- HYDER, ALI: leader of Mysore, a state in southwest India; claimed descent from Mohammed; took power in a coup; fought British in India in 1st and 2nd Mysore Wars.
- HYER, JACOB: Princeton, Windsor, Middlesex Co.; owner of Hudibras Tavern in Princeton; lt. col. to col., Middlesex militia, 1776–1778; resigned Oct. 2, 1778.
- HYLER, ADAM (1735–1782): New Brunswick, Middlesex Co.; whaleboat guerilla; capt. of privateer *Revenge*; harassed British and Loyalists in coastal waters of northern N.J.
- IMLAY, DAVID (1759–1803): Upper Freehold, Monmouth Co.; ens. to lt., Monmouth militia; ens. to capt., Col. Asher Holmes's regt., state troops.
- IMLAY, ISAAC (1756–1836): Upper Freehold, Monmouth Co.; Pvt. to 1st Lt., Monmouth militia.
- JAMES (JEAMES), ROBERT: Freehold, Monmouth Co.; convicted, sentenced to execution for high treason, Court of Oyer and Terminer, Monmouth, Jan. 23, 1781; pardoned by Privy Council, Mar. 28, 1781.
- JAQUES, MOSES (1742–1816): Essex Co.; lt. col. to col., 1st regiment, Essex militia, Sept. 24, 1777, to at least June 27, 1781 (see vol. 3).
- JAY, JAMES, SIR (1732–1815): N.Y., later Springfield, N.J.; physician; brother of John Jay; N.Y. Senate, Oct. 1778–Apr. 1782; captured in N.J., imprisoned in N.Y., sent to England by arrangement with Sir Guy Carleton, Apr. 1782; attempted to negotiate a separate truce or peace with Britain, June 1782; appealed for clemency to Washington on behalf of Charles Asgill, July 1782; travelled to Paris, Dec. 1782.
- JAY, JOHN (1745–1829): N.Y.; son-in-law of WL.; 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 minister to negotiate peace with Great Britain, June 14, 1781; signed treaty of Paris (see vols. 1, 2, & 3).
- JAY, MARIA (1782–1856): b. in Madrid; daughter of John and Sarah Jay; granddaughter of WL.
- JAY, MARY ANNA VAN CORTLANDT (1705–1777): N.Y.; mother of John Jay; married Peter Jay, Jan. 31, 1728.

- JAY, PETER (1704–1782): N.Y.C., later Rye, N.Y.; father of John Jay; merchant trader; retired to Rye farm, Dec. 1745; moved to Fishkill, Nov. 1776.
- JAY, PETER AUGUSTUS (1776–1843): WL's grandson; eldest son of John Jay and Sarah Livingston Jay (see vols. 1, 2, & 3).
- JAY, SARAH ("SALLY") LIVINGSTON (1756–1802): WL's daughter; married John Jay, April 28, 1774 (see vols. 1, 2, & 3).
- JAY, SUSAN (b. & d. 1780): born Madrid; WL's granddaughter; daughter of John and Sarah Livingston Jay.
- JEFFERSON, THOMAS (1743–1826): Va.; Cont. Congress, 1775–1776; Va. House of Delegates, Oct. 1776–June 1779; gov., Va., June 1779–June 1781; Congress, 1783–1784 (see vol. 1).
- JOEL, BEESLY EDGAR: Great Britain; deserted from British army at Princeton, June 1780; informant for Board of War, Dec. 1780.
- JOHNES (JONES), JOHN: Great Britain; capt., British army; prisoner of war, Apr. 1780; parole cancelled by N.J. Privy Council, June 1, 1780.
- JOHNES, KEZIAH LUDLOW (d. 1794): Morris Co.; 2d wife of Rev. Timothy Johnes; member for Morris Co., Women's Relief Society, Trenton N.J., 1780.
- JOHNES, TIMOTHY (1717–1794): N.Y.; ordained Feb. 9, 1743; pastor, First Presbyterian Church, Morristown, until 1794 (see vol. 3).
- JOHNS, JOHN (1736–1806): Essex militia; Cont. army.
- JOHNSTONE, GEORGE (1730–1787): Great Britain; commodore, British navy, 1762; gov., West Fla., 1763–1767; member, Carlisle Commission, 1778; condemned by Congress for bribery attempt, Aug. 11, 1778; resigned Aug. 26, 1778; commodore, British squadron off Portuguese coast, 1779–1781; director, East India Co., 1783.
- JONES, JOSEPH (1727–1805): Va.; House of Burgesses; Committee of Safety, 1775; Va. Constitutional Convention, 1776; Va. House of Delegates, 1776–1777, 1780–1781, 1783–1785; Cont. Congress, 1777–1778, 1780–1783; judge, Va. General Court, Jan. 23, 1778–Oct. 1779.
- KALB, JOHANN, BARON DE (d. 1780): Bavaria; maj. gen., Cont. army, 1777–1780; died of wounds received at battle of Camden, Aug. 19, 1780 (see vol. 3).
- KEAN (KEEN), NICHOLAS: Upper Penns Neck, Salem Co.; Salem innkeeper; lt. to capt., state troops and Salem Co. militia; capt. of armed boat *Friendship*; comdr. of boatmen on frontiers of Cumberland and Cape May.
- KENNEDY, ARCHIBALD (d. 1794): Bergen Co. and N.Y.C.; capt. Royal Navy; Loyalist; arrested, 1776; paroled at home, Jan. 1778; confined at Newton, Sussex Co.; returned home on parole, May 7, 1778; settled in England after war (see vol. 2).
- KING, [CONSTANT] VICTOR: Roxbury, Morris Co.; ens. to lt., Morris militia; lt., Capt. Jonas Ward's company, state troops.
- KLEIN, WILLIAM: Hamburg, Germany; Philadelphia; maj., German Battalion, July 17, 1776; lt. col., Sept. 3, 1778; retired June 21, 1779, and returned to Europe.
- KNOWLTON (KNOULTON), LUKE (b. 1738): Shrewsbury, Mass.; Newfane, Vt.; Loyalist and British spy throughout revolution.
- 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 vols. 1 & 3).
- KNYPHAUSEN, WILHELM, BARON VON (1716–1800): Prussia; comdr. in chief, Hessian troops in America, 1777–1782 (see vols. 2 & 3).
- LACY, JOHN (1752–1814): Pa.; capt., Pa. Associators, Aug. 1775; capt., 5th Pa. Battalion, 1776; brig. gen., Pa. militia, 1778–1781.
- LAFAYETTE, MARIE JOSEPH PAUL YVES ROCH GILBERT DU MOTIER, MARQUIS DE (1757–1834): France; maj. gen., Cont. army, July 31, 1777; returned to France 1779 to plead American cause; returned to America, 1781; commanded at Yorktown and returned to France, 1781; assisted minister Thomas Jefferson, 1784–1789 (see vols. 2 & 3).
- LAGRANGE (LEGRANGE), BERNARDUS (1721–1797): Schenectady, N.Y., later

- Raritan and New Brunswick; Loyalist; attorney, Middlesex and Somerset counties, 1745–1776; vestryman, Christ Church; property confiscated, 1779; sailed for England, 1783.
- LAMB, JOHN (1735–1800): N.Y.; capt., Independent Co., N.Y. artillery, 1775; wounded, taken prisoner at Quebec, Dec. 31, 1775; maj., commandant, artillery, Northern Department, Jan. 9, 1776; col., 2d Cont. artillery, Jan. 1, 1777; wounded, 1777; served to June 1783.
- LARENCE (LAURANCE), JOHN (1750–1810): Cornwall, Great Britain, later N.Y.; son-in-law of Alexander MacDougall; Cont. officer, 1st N.Y. regt.; aide-de-camp to Washington, 1777; judge advocate gen. of Cont. army, 1777–1782.
- LAURENS, HENRY (1724–1792): S.C.; Cont. Congress, 1777–1779; minister to The Netherlands, 1779; captured en route, Sept. 1780; prisoner, Tower of London, released Dec. 31, 1781; commissioner Paris peace conference, signed preliminary treaty, Nov. 30, 1782; returned to U.S., Aug. 3, 1784 (see vols. 2 & 3).
- LAURENS, JOHN (ca. 1754–1782): S.C.; son of Henry Laurens; aide-de-camp to Washington, 1777, 1779; 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 (see vol. 3).
- LAUZUN, ARMAND LOUIS DE GONTAUT BIRON, DUC DE (1747–1793): France; served in Comte de Rochambeau's army, 1780; carried news of British surrender at Yorktown to France, 1781.
- LAWRENCE, CATHARINE LIVINGSTON (b. 1733); N.Y.; widowed sister of WL; married John Lawrence, N.Y.C. merchant, 1759.
- LAWRENCE, ELISHA (1740–1811): Monmouth Co.; Loyalist; sheriff, Monmouth Co., 1775; lt. col., N.J. Volunteers, 1776; property confiscated; settled in Nova Scotia, Canada, after the war and then moved to Cardigan, Wales (see vol. 1).
- LAWRENCE, ELISHA (1746–1799): Upper Freehold, Monmouth Co.; maj., Monmouth militia, Oct. 25, 1775; lt. col., May 23, 1777; quartermaster and forage master, Cranbury and Allentown, 1778–1779; N.J. Privy Council, 1780–1784 (see vol. 1).
- LEE, ARTHUR (1740–1792): Va.; brother of Richard Henry Lee, Francis Lightfoot Lee, William Lee; U.S. commissioner to France, Oct. 22, 1776–Sept. 27, 1779; returned to America, Sept. 1780; Va. House of Delegates, 1781; Cont. Congress, 1781–1784 (see vol. 2).
- LEE, BENJAMIN: New Brunswick, Middlesex Co.; convicted of rape, Court of Oyer and Terminer, Monmouth; sentenced to execution; pardoned by Privy Council, Trenton; sentenced to serve on Cont. frigate, Jan. 1, 1781.
- LEE, CHARLES (1731–1782): Va.; maj. gen., Cont. army; court-martialed, July 4–Aug. 12, 1778; suspended from active service for a year; dismissed from service, Jan. 10, 1780 (see vols. 1, 2, & 3).
- LEE, HENRY (LIGHT HORSE HARRY) (1756–1818): Va.; capt., Va. Dragoons, 1776; capt., 1st Cont. Dragoons, 1777; maj., 1778; Lee's Partisan Corps, 1780; lt. col., 1780 to close of war (see vol. 3).
- LEE, THOMAS SIM (1745–1819): Prince George's Co., Md.; Cont. Congress, 1777; gov., Md., 1779–1783; Cont. Congress, 1783–1784.
- LESLIE, ALEXANDER (ca. 1740–1794): Great Britain; brig. gen., British army; commanded expedition to Salem, Mass., 1775; served in Boston, 1775–1776; participated in southern campaign, 1781; commanded at battle of Guilford Courthouse, N.C., 1780; succeeded Cornwallis as southern comdr., Oct. 1781; withdrew from Savannah, Ga., July 11, 1782; withdrew from Charleston, S.C., Dec. 14, 1782.
- LEWIS, FRANCIS (1713–1803): N.Y.; merchant; Cont. Congress, 1774–1779; commissioner, Board of Admiralty, 1779–July 17, 1781 (see vol. 3).
- LINCOLN, BENJAMIN (1733–1810): Mass.; maj. gen., Cont. army, Feb. 19, 1777; surrendered at Charleston, May 12, 1780; prisoner, May–Nov., 1780; secretary of war, Oct. 30, 1781; resigned, Oct. 29, 1783, but requested by Congress to perform duties to Nov. 12, 1783 (see vols. 2 & 3).

- LINN, MARY LIVINGSTON (1753–1839): daughter of WL; married James Linn, 1771 (see vol. 3).
- LIPPINCOTT, RICHARD (1745–1794): Shrewsbury, Monmouth Co.; Loyalist; 1st Lt., Monmouth militia, Mar. 6, 1776; joined British in N.Y., Dec., 1776; ens., 1st N.J. Volunteers, Dec. 1776–Apr. 1777; capt., Associated Loyalists, Brit. provincial troops, Feb. 17, 1781; hanged Joshua Huddy in reprisal for killing of Philip White, Loyalist, Apr. 12, 1782; moved to England after the war; obtained land grant in York (Toronto), Canada, and settled there, 1794 (see vol. 1).
- LIVINGSTON, ABRAHAM (1754–1802): N.Y.; son of Philip and Christina Ten Broeck Livingston; WL's nephew; victualler, Apr. 1776; resigned, May 9, 1776; Cont. clothier and purchasing agent, N.C., Dec. 6, 1776, to at least Nov. 1780; captured, prisoner of war in N.C., Oct. 1780.
- LIVINGSTON, CATHARINE (1751–1813): Elizabethtown, Essex Co.; daughter of WL; married Matthew Ridley, Apr. 4, 1787 (see vol. 3).
- LIVINGSTON, CHRISTINA TEN BROECK (1718–1801): N.Y.; WL's sister-in-law; married Philip Livingston, Apr. 14, 1780.
- LIVINGSTON, GERTRUDE SCHUYLER: WL's sister-in-law; married Robert Livingston, 1766.
- LIVINGSTON, HENRY BROCKHOLST (1757–1823): son of WL; private secretary to John Jay in Spain, Dec. 1778; returned to America, 1782; captured by British; released, May 1782; law practice in New York City, 1783 (see vols. 1, 2, & 3).
- LIVINGSTON, HENRY PHILIP (b. ca. 1760): N.Y.; son of Philip and Christina Ten Broeck Livingston; WL's nephew.
- LIVINGSTON, JOHN HENRY (1746–1825): Albany; cousin of WL; Dutch Reformed clergyman; grad. Yale, 1762; doctor of theology, University of Utrecht, 1770; professor of theology to the General Synod, 1784–1825; president of Queen's College, 1810–1825; a principal factor in guiding the Dutch Reformed Church to a complete and independent American organization (see vols. 2 & 3).
- LIVINGSTON, JOHN LAWRENCE (1762–1781): youngest son of WL; midshipman, Cont. navy, April 1780; served on *Saratoga*; lost at sea 1781 (see vols. 1, 2, & 3).
- LIVINGSTON, PETER VAN BRUGH (1712–1792): N.Y.; Basking Ridge, Somerset Co.; Elizabethtown, Essex Co.; brother of WL; delegate to N.Y. Provincial Congress, 1775–1776; pres., 1st Provincial Congress; treasurer, 1776; moved to N.J., 1776 (see vol. 3).
- LIVINGSTON, PHILIP (1716–1778): N.Y.; brother of WL; merchant and legislator; Cont. Congress, 1774–1778 (see vols. 2 & 3).
- LIVINGSTON, PHILIP J. (b. 1752): N.Y. and Jamaica, W.I.; son of John Livingston and Catherine De Peyster; WL's nephew; joint owner with Philip P., Jamaica estate.
- LIVINGSTON, PHILIP P. (1741–1787): Albany, N.Y., and Jamaica, W.I.; son of Philip and Christina Ten Broeck Livingston; WL's nephew; joint owner with Philip J., Jamaica estate (see vol. 2).
- LIVINGSTON, ROBERT, JR. (1707–1790): N.Y.; brother of WL; merchant; 3d lord of Livingston Manor (see vol. 3).
- LIVINGSTON, ROBERT R. (1746–1813): N.Y.; cousin of WL; Cont. Congress, 1775–1777, 1779–1781; secretary of foreign affairs, Aug. 1781–Aug. 1783; chancellor, N.Y., 1777–1801 (see vol. 2).
- LIVINGSTON, SUSANNAH (1748–1840): daughter of WL; married John Cleves Symmes, 1794 (see vols. 1, 2, & 3).
- LIVINGSTON, SUSANNAH FRENCH (SUKEY) (1723–1789): Elizabethtown, Essex Co.; daughter of Philip French; married WL, Mar. 2, 1747 (see vols. 1, 2, & 3).
- LIVINGSTON, WALTER (1740–1797): N.Y.; merchant; son of Robert Livingston, 3d lord of Livingston Manor; cousin of WL; delegate, N.Y. Provincial Convention, Apr.–May 1775; 1st Provincial Congress, May–Nov. 1775; judge, Albany Co., 1774, 1775; commissary of stores and provisions for N.Y., 1775–1776; deputy commissary gen., Northern Department, 1775; Cont. army, 1776; N.Y. State Assembly, 1777–1779; speaker, 1778; partner of Comfort Sands in commissary business,

- 1781; one of three commissioners of Cont. Treasury.
- LIVINGSTON, WILLIAM, JR. (1754–1817): WL's son; aide to WL during the Revolution; secretary, Council of Safety, Nov. 14, 1777 (see vols. 1, 2, & 3).
- LIVINGSTON, WILLIAM ALEXANDER (1757–1780): Jamaica, B.W.I.; Loyalist; son of Peter Van Brugh Livingston; captured at sea by Americans en route from Jamaica to N.Y., July 1779; killed in a duel, Aug. 1780 (see vol. 3).
- LORING, JOSHUA, JR. (1744–1789): Mass.; Loyalist; sheriff, Suffolk Co.; deputy surveyor of king's woods in North America; British commissary of prisoners, N.Y., 1777–1783; lived in England after war (see vols. 1, 2, & 3).
- LOUIS XVI (1754–1793): king of France, 1774–1793 (see vol. 2).
- LUCAS, SIMON: Great Egg Harbor, Gloucester Co.; capt., Gloucester militia; capt., Cont. army.
- LUZERNE, ANNE-CÉSAR, CHEVALIER DE LA (1741–1791): France; French minister to U.S., 1779–1784 (see vol. 3).
- LYON, MATTHEW (1750–1822): Wicklow, Ireland, later Vt.; immigrated to Vt., 1765; U.S. congressman, 1797–1811.
- MACLEOD, (MCLEOD) WILLIAM: Elizabethtown, Essex Co.; Loyalist; 52d regt., British army, 1775.
- MADISON, JAMES (1751–1836): Va.; Va. Executive Council, 1778–1780; Cont. Congress, Mar. 20, 1780–Dec. 1783.
- MARBOIS, FRANCOIS BARBÉ (1745–1837): Metz, France; secretary to the French legation to the U.S., 1779; consul gen. and chargé d' affaires, 1781; married daughter of William Moore, 1784.
- MARIA I (1734–1816): queen of Portugal, 1777–1816.
- MARIA THERESA (1717–1780): empress of the Holy Roman Empire, 1740–1780.
- MARIANA VITÓRIA (1718–1781): sister of Charles III of Spain; queen of Joseph I of Portugal, who reigned 1750–1777.
- MARION, FRANCIS (ca. 1732–1795): S.C.; lt. col., Cont. army; brig. gen., S.C. militia; planter; served as Cont. officer at Charleston and Savannah, 1775–1780; commanded S.C. militia, also known as Marion's Brigade, 1780–1783; known as the "Swamp Fox"; S.C. Senate 1781, 1782, 1784.
- MARR, LAWRENCE: Saddle River, Bergen Co.; Loyalist; executed in Philadelphia, 1781.
- MARSH, DANIEL (1736–1803): Elizabethtown, Essex Co.; capt., Essex Co. militia; assist. quartermaster, Middlesex Co., with rank of maj., Mar. 2, 1778, to Mar. 2, 1779; quartermaster, Rahway, 1779–1781 (see vol. 3).
- MASON, JOHN (d. 1781): N.Y.; Loyalist; member of gang plundering northern N.J. in 1779; jailed by British for plundering L.I. Loyalists, 1780; used by British as intermediary with mutineers of Pa. Line in winter of 1780–1781; turned over by mutineers to patriots and hanged.
- MATHEWS, JOHN (1744–1802): S.C.; S.C. House of Representatives, 1776–1780; Cont. Congress, 1778–1782.
- MATLACK, TIMOTHY (ca. 1730–1829): Pa.; Pa. Associators (militia), 1775–1777; Pa. Council of Safety, 1776; keeper of great seal of Pa., 1777; Cont. Congress, 1780–1781.
- MAXWELL, WILLIAM (ca. 1733–1796): Greenwich, Sussex Co.; brig. gen., Cont. army, Oct. 23, 1776–July 25, 1780 (see vols. 1 & 2).
- MCCLURE, JOHN: Baltimore, Md.; co-owner of Md. schooner *Luzerne*.
- McKAY (MACKIE, M'KEE), ELIZABETH: daughter of Dr. Jacob Ogden of Jamaica, L.I., and niece of Loyalist David Ogden; married Peter McKay.
- McKAY (MACKIE, M'KEE), PETER: Morristown, Morris Co.; merchant; lt., Capt. Thomas Kinney's Light Horse, 1777.
- McKEAN, THOMAS (1734–1817): Pa.; Cont. Congress, 1774–1783; pres., Cont. Congress, 1781; chief justice, Pa., 1779–1799; gov., Pa., 1799–1808.
- MEHELM, JOHN (1735–1809): Tewksbury, Hunterdon Co.; schoolteacher; farmer; Gen. Assembly, 1772–1776; Provincial Congress, 1775–1776; col., Hunterdon Co. militia; muster man, eastern and west-

ern companies, state troops; quartermaster gen. and paymaster of Maj. Gen. Philemon Dickinson's brigade, N.J. militia; appointed to commission to set amounts due men of N.J. Cont. Line for pay depreciation.

MELVILL, PIETER (1745–1826): Dordrecht, Netherlands; capt., Dutch navy, 1777; fought English at Surinam, May 1778, and Doggersbank, Aug. 1781.

MERCEREAU (MARSEALASON), JOHN: stage-coach driver from Paulus Hook to Philadelphia; spy and conduit for information between N.Y. informants and George Washington.

MILBURN, LEMUEL: ens. in Morris Co. militia.

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. 3.).

MOODY, JAMES (1744–1809): Knowlton, Sussex Co.; farmer; Loyalist; pvt., N.J. Volunteers, Apr. 1777; ens., Apr. 1778; lt., Aug. 14, 1781; settled in Nova Scotia, Canada, after war.

MOODY, JOHN (1759–1781): Gloucester Co.; Loyalist; executed, Nov. 24, 1781, for attempt to break into Philadelphia state house to carry off papers of Cont. Congress.

MOORE, WILLIAM (1735–1793): Philadelphia; merchant; vice pres. of Pa. Supreme Executive Council, 1779–1781; pres., 1782.

MORGAN, DANIEL (1736–1802): Va.; farmer; raised cont. rifle company in June 1775 and took it to Boston; taken prisoner at Quebec, Dec. 31, 1775; exchanged, 1776; resigned because of lack of recognition by Congress; returned to duty in 1780 and promoted to brig. gen., Oct. 13; served to end of war.

MORRIS, GOUVERNEUR (1752–1816): N.Y.; Cont. Congress, 1777–1780; asst. minister of finance, 1781–1784 (see vols. 2 & 3).

MORRIS, ISRAEL: Haddonfield, Gloucester Co.; asst. commissary of purchases, West Jersey, Dec. 1776–1780 (see vol. 3).

MORRIS, JACOB: N.Y.; maj. N.Y. militia, 1775; maj. and aide-de-camp to Maj. Gen. Charles Lee; wounded, June 28, 1778; maj., aide-de-camp to Maj. Gen. Nathanael Greene, May 1781–1782 (see vol. 3).

MORRIS, MARY WHITE (1749–1827): Philadelphia; sister of William White, the chaplain of Congress; married Robert Morris, the superintendent of finance, 1769.

MORRIS, ROBERT (1734–1806): Pa.; merchant; Pa. State Assembly, 1778–1780; supt. of finance, 1781–1784 (see vols. 1, 2 & 3).

MORRIS, ROBERT (1745–1815): Bergen Co.; lawyer; chief justice, N.J. Supreme Court; resigned, June 1779; private law practice thereafter (see vols. 1, 2, & 3).

MOTT, JAMES, JR. (1739–1823): Middletown and Dover, Monmouth Co.; Gen. Assembly, 1776–1779; N.J. state treasurer, 1783–1799 (see vols. 1 & 3).

MOTT, JOHN (1734–1804): Northampton, Burlington Co.; 1st lt., 3d battalion, 1st establishment, Feb. 9, 1776; capt., 3d battalion, 2d establishment, Nov. 29, 1776; retired Sept. 26, 1780; also capt. in N.J. militia.

MOULTRIE, WILLIAM (1730–1805): Charleston, S.C.; planter; S.C. legislator; brig. gen., Cont. army; captured at Charleston, May 1780; exchanged 1782; maj. gen., Oct. 1782; served to end of war (see vol. 3).

MUHLENBERG, JOHN PETER GABRIEL (1746–1807): Philadelphia; Lutheran pastor; soldier; politician; pastor at Woodstock, Va., until 1776; commanded Va. regt. of Shenandoah Germans; brig. gen. to brevet maj. gen., 1777–1783; Pa. Executive Council, 1784.

MURRAY, JOHN (4TH EARL OF DUNMORE) (1732–1809): Great Britain; gov., N.Y., 1770; gov., Va., 1771; returned to England, 1776; member, House of Lords, 1776–1787 (see vols. 2 & 3).

NECKER, JACQUES (1732–1804): Paris; French banker and director-gen. of finances under Louis XVI, 1776–1781.

NEIL, ROBERT: Essex Co.; capt., Essex militia; taken prisoner, Feb. 1780 (see vol. 2).

NEILSON, JOHN (1745–1833): New Brunswick, Middlesex Co.; merchant; brig.

- gen., N.J. militia, from Feb. 21, 1777, to 1780; deputy quartermaster gen., N.J., 1780–1783 (see vols. 1, 2, & 3).
- NELSON, THOMAS, JR. (1738–1789): Va.; merchant; revolutionary patriot; signer of Declaration of Ind.; gov., Va., 1781; participated in siege of Yorktown.
- NEUFVILLE, JAN (JOHN) DE (d. ca. 1797): Amsterdam; influential Dutch merchant and banker (see vol. 3).
- NICHOLAS, BENJAMIN: Munsee tribe; wagoner; pvt., Sussex Co. militia.
- NICHOLLS (NICHOLS), ROBERT (1735–1814): Newark, Essex Co.; capt., Essex militia.
- NICOLA, LEWIS (1717–1807): Pa.; col., Cont. army, Invalid Corps, June 20, 1777; brevet brig. gen., Sept. 30, 1783.
- NIXON, ROBERT: Windsor, Middlesex Co.; capt. to brevet maj., light horse, Middlesex Co., Jan. 1777; 1st maj., 3d regt., Middlesex Co., Oct. 1777.
- NORTH, FREDERICK, LORD (1732–1792): Great Britain; House of Commons, 1754; chancellor of the exchequer, 1767; first lord of the treasury, 1770; resigned, Mar. 20, 1782.
- OGDEN, DAVID (1707–1798): Newark, Essex Co.; father of Isaac, Samuel, Peter, Nicholas, and Abraham Ogden; associate judge, N.J. Supreme Court, May 18, 1772–1777; Loyalist; escaped to N.Y., Jan. 6, 1777; property confiscated, June 12, 1779; settled in England, Nov. 1783; returned to U.S., 1790 (see vol. 3).
- OGDEN, EUPHEMIA MORRIS: sister of Gouverneur Morris and wife of Samuel Ogden.
- OGDEN, JAMES: (d. 1781): South River, Middlesex Co.; tried and hanged as spy, 1781.
- OGDEN, MATTHIAS (1754–1791): Elizabethtown, Essex Co.; lt. col to brig. gen., Cont. army, March 7, 1776–Sept. 6, 1783; taken prisoner, 1780; exchanged, 1781 (see vols. 1 & 2).
- OGDEN, ROBERT III (1746–1826): born at Elizabethtown, Essex Co.; moved to Turkey (New Providence), Essex Co., 1777; attorney; appointed N.J. commissary of prisoners, Jan. 1780; also appointed one of 12 sergeants-at-law of N.J., 1780 (see vol. 1 & 3).
- OGDEN, SAMUEL (1733–1805): Deerfield, Cumberland Co.; capt., 1st battalion, Cumberland; capt., Col. Nathaniel Heard's brigade, June 14, 1776; capt., Col. Enos Seeley's battalion, state troops, Jan. 1777; 1st maj. to lt. col., 1st battalion, Cumberland, 1777; Privy Council from 1781.
- OGDEN, SAMUEL (1746–1810): Newark, Essex Co.; iron founder; land promoter; son of David Ogden.
- OORTHUIS, GERARD (1742–1812): The Netherlands; naval officer; lt., 1777; capt., 1779; fought two naval battles in war with England, 1780–1781.
- OSWALD, RICHARD (1705–1784): Great Britain; diplomat; merchant; peace negotiator at Paris from Apr. 1782.
- OTTO, ELIZABETH LIVINGSTON: daughter of Peter Van Brugh Livingston; wife of Louis Otto.
- OUTWATER, JOHN (1746–1823): Saddle River, Bergen Co.; capt., Bergen militia; capt., state troops; wounded, Mar. 1780.
- PARK (PARKE), WILLIAM (1746–1794): 1st lt., 1st regt., Hunterdon militia, May 10, 1777.
- PARKER, SIR HYDE (1714–1782): Great Britain; vice adm.; 2d in command in America, 1778–1781; repelled de Guichen's fleet at St. Lucia, West Indies, Mar. 1780; defeated Dutch at Dogger Bank, Aug. 1781.
- PARKER, JOHN: Monmouth County; convicted of stealing horses, Jan. 23, 1781; escaped Feb. 14, 1781.
- PEABODY, NATHANIEL (1741–1823): N.H.; N.H. House of Representatives, 1776–1779; adj. gen., N.H. militia, 1777; brig. comdr. in R.I., 1779; Cont. Congress, 1779–1780; member of Congress's secret committee on military, 1780 (see vol. 3).
- PENN, JOHN (1741–1788): N.C.; Cont. Congress, 1775–1776, 1778–1780 (see vols. 2 & 3).
- PERINE, PETER (1737–1817): Hunterdon Co.; capt., 3d battalion, Middlesex.

- PETERS, RICHARD (1744–1828): Pa.; secretary, Board of War, June 13, 1776–June 8, 1781; Cont. Congress, 1782, 1783 (see vols. 1, 2, & 3).
- PETTIT, CHARLES (1736–1806): Trenton, Hunterdon Co., and Pa.; brother-in-law of Joseph Reed; secretary N.J. Prov. Congress; Gen. Assembly, 1776–1778; secretary of state, Sept. 4, 1776; resigned, Oct. 7, 1778; asst. quartermaster gen., Mar. 2, 1778–June 20, 1781 (see vol. 2).
- PHELPS, CHARLES (1719–1789): Northampton, Mass., and Cumberland Co., N.Y.; lawyer; one of original grantees of township of Marlboro, N.Y.; fought against creation of state of Vt. and was jailed in Jan. 1784 by that state for treason, his property expropriated; pardoned, Feb. 28, 1784.
- PHILIP V (1683–1746): king of Spain, 1700–1746.
- PHILLIPS, JOHN (1721–1794): Amwell, Hunterdon Co.; ens. to capt., Hunterdon Co. militia, 1777 to at least 1780 (see vol. 3).
- PHILLIPS, JOSEPH (1718–ca. 1785): Maidenhead, Hunterdon Co.; col., Hunterdon militia, Mar. 1777–Aug. 1780 (see vols. 1, 2, & 3).
- PHILLIPS, PHILIP: Maidenhead, Hunterdon Co.; capt., 1st regt., Hunterdon, May 10, 1777.
- PICKENS, ANDREW (1739–1817): S.C.; farmer; j.p.; brig. gen., S.C. militia.
- PICKERING, TIMOTHY (1745–1829): Salem, Mass.; lawyer; col. and adj. gen., Cont. army, 1777–1778; elected to Board of War, Cont. Congress, Nov. 7, 1777; quartermaster gen., Cont. army, Aug. 5, 1780–1783 (see vol. 3).
- PIGOT, HUGH (ca. 1721–1792): Great Britain; British navy; lt., 1742; comdr., 1745; rear adm., 1775; lord of the admiralty, 1782; adm. of the Blue, 1782; comdr. of W.I., 1782, superceding Adm. George Rodney.
- PINTARD, LEWIS (1732–1818): N.Y.; merchant; remained in N.Y.C. during British occupation; deputy commissary of prisoners, 1777–1780.
- PIUS VI (1717–1799): pope, 1775–1798.
- POLHEMUS, JOHN (1738–1831): Shrewsbury, Monmouth Co.; capt. to maj., Monmouth militia, 1775–1780; capt., Cont. army, 1781.
- POTTER, JAMES (1729–1787): Pa.; farmer; col. to brig. gen., Pa. militia, 1776–1783; wounded at Princeton, Jan. 3, 1777; served to end of war.
- PRALL, JOHN (1729–1813): Amwell, Hunterdon Co.; lt., 3d regt., Hunterdon militia (see vol. 3).
- PREVOST, JAMES MARK (d. 1781): Great Britain; Bergen Co. landowner; capt. to lt. col., British army; comdr. of British forces in N.J. ca. 1770; transferred to West Indies in early 1770s.
- PREVOST, THEODOSIA BARTOW (1746–1794): Bergen Co.; wife of Capt. James Mark Prevost, 1763; wife of Aaron Burr, 1782.
- PRICE, RICHARD (1723–1791): Great Britain; nonconformist minister and writer; officiated in various dissenting congregations; published *Review of the Principal Questions in Morals*, 1756; *Observations on Civil Liberty and the Justice & Policy of the War with America*, 1776; LL.D, Yale College, 1783 (see vols. 2 & 3).
- PULASKI, CASIMIR, COUNT (ca. 1748–1779): Poland; rebel against foreign domination of Poland; fled in 1772 to arrive in Boston in 1777; brig. gen., Cont. army; comdr., Pulaski's Legion, Mar. 28, 1778; died of wounds received at the siege of Savannah, Oct., 1779 (see vols. 2 & 3).
- QUICK, JACOB, JR. (1749–1816): Hunterdon Co.; son of Jacob Quick; wagoner; pvt., Hunterdon militia.
- RAMSEY, NATHANIEL (1741–1817): Md.; statesman; lawyer; capt. to lt. col., Cont. army; retired, Jan. 1781.
- RANDOLPH, DANIEL: Freehold, Monmouth Co.; Burlington militia; wagoner.
- RANDOLPH, JOSEPH (1750–1801): Egg Harbor, Monmouth Co.; capt., Monmouth Co. militia.
- RANDOLPH, REUBEN (1733–1784): Egg Harbor, Monmouth Co.; capt., Middlesex Co. militia.

- RAWDON, FRANCIS, LORD (1754–1826): Great Britain; lt. col. to brig. gen., British army; aide-de-camp to Gen. Sir Henry Clinton, 1778; adj. gen. to Gen. Clinton, 1778–1779; distinguished himself in Camden campaign, Aug. 1780; comdr. in S.C. and Ga., 1781.
- REED (READ), BOWES (1740–1794): Burlington Co.; brother of Joseph Reed; brother-in-law of Charles Pettit; col., Burlington militia, Sept. 28, 1776–Mar. 31, 1778; secretary of state, N.J., Oct. 7, 1778, to at least 1781; mayor, Burlington, 1784 (see vols. 1, 2, & 3).
- REED, JOSEPH (1741–1785): Pa.; lawyer; brother of Bowes Reed; brother-in-law of Charles Pettit; Cont. Congress 1777–1778; pres., Pa. Supreme Exec. Council, Dec. 1, 1778–1781; assisted in founding Univ. of Pa.; trustee, Univ. of Pa., 1782–1785 (see vols. 1, 2, & 3).
- REED, LAWRENCE (d. 1773): N.Y.; law partner of Richard Yates.
- REMSEN (REMSON), HENRY (1736–1792): N.Y.; merchant; col., N.Y. militia, 1775; moved to N.J., 1776; returned to N.Y. at end of war (see vols. 2 & 3).
- REYNOLDS, THOMAS (1729–1803): New Mills, Burlington Co.; lt. col., 2d regt., Burlington militia; col., Burlington militia, June 6, 1777; prisoner of war and paroled; removed from command, Mar. 1780; court-martialed and fined, Mar. 22, 1781; resigned Dec. 18, 1782 (see vols. 1, 2, & 3).
- RICHARDSON, JOSEPH (1711–1784): Philadelphia; silversmith; member of board of Pa. Hospital.
- RICHMOND, JONATHAN (d. 1789): Nottingham Township, Burlington Co.; owner of True American Inn at Trenton; barrack master at Trenton, 1779.
- RIDLEY, MATTHEW (1749–1789): Great Britain; Baltimore, Md.; London merchant; returned to London in 1775 and was active in behalf of American prisoners there; went to France in 1778 and returned to Md. in 1779; associate of Ridley & Pringle, purchasing agents for Robert Morris; married Catharine Livingston, 1787.
- RIVINGTON, JAMES (1724–1802): bookseller, journalist and Loyalist publisher; published *N.Y. Gazetteer*, Mar. 1773; began publishing *N.Y. Loyal Gazette* in 1777, changing the name to *The Royal Gazette* in 1778, America's 1st daily; in 1781 began to send information to the patriots and when N.Y. was evacuated by British, newspaper became *Rivington's N.Y. Gazette and Universal Advertiser* (see vols. 2 & 3).
- ROBERTSON, JAMES (ca. 1720–1788): Great Britain; maj. gen., Brit. army; commandant of N.Y., Sept. 1777–May 1778; British gov. of N.Y., May 1779–1783 (see vol. 2).
- ROCHAMBEAU, JEAN BAPTISTE DONATIEN DE VIMEUR, COMTE DE (1725–1807): France; French officer, lt. gen.; distinguished himself in Seven Years War; lt. gen. and comdr. of French expeditionary force in America, 1780; assisted Washington in planning Yorktown campaign and commanded French wing in that battle (see vol. 3).
- ROCKINGHAM, CHARLES WATSON-WENTWORTH, MARQUIS (1730–1782): Great Britain; Whig leader and opponent of George III; prime minister, 1765–1776, Mar.–July 1782; died in office.
- RODNEY, CAESAR (1728–1789): farmer; Cont. Congress, 1774–1776, 1777–1778, 1782–1784; pres., Del., 1777–1781.
- RODNEY, GEORGE (1719–1792): Great Britain; adm., 1778; took command of Leeward Islands Station in West Indies, 1780, and fought decisive battle of Martinique with French; knight of the Bath, 1780; resigned command, 1781 (see vol. 3).
- ROE (ROW, ROWE), AZEL (1738–1815): Woodbridge; pastor at Presbyterian church in Woodbridge and Metuchen; trustee, Queen's College, 1778–1807.
- ROMEYN (ROMINE), ELIAS: Bergen Co.; capt., Bergen Co. militia; tried and convicted for taking bribes from Loyalists, 1782.
- ROMEYN (ROMINE), NICK (d. 1785): Hackensack, Bergen Co.; brother of Theodore Romeyn; physician; pvt., Bergen Co. militia.

- ROMEYN (ROMINE), THEODORE (DIRCK) (1745–1804): Hackensack, Bergen Co.; minister of Dutch Reformed Church of Hackensack, 1776; moved to New Paltz, N.Y., to avoid British raids, Nov. 1776; reported to Washington on British troop movements; returned to Hackensack after war.
- ROSCOW (ROSCOE), WILLIAM (1732–1805): Trenton, Hunterdon Co.; mail carrier; commissary of hides, quartermaster general's dept.
- RUSH, BENJAMIN (1745–1813): Pa.; physician; surgeon gen. of hospitals, Middle Department, Apr. 11, 1777; physician gen., Middle Department, July 1, 1777–Apr. 30, 1778; lecturer, Univ. of Pa., 1780; staff member, Pa. Hosp., 1783.
- RUTLEDGE, JOHN (1739–1800): S.C.; Cont. Congress, 1774–1776; pres., S.C., 1776–1778; gov., S.C., 1779–1782 (see vols. 1, 2, & 3).
- SCHENCK (SCHANK, SHENCK), JOHN (1740–1794): Freehold, Monmouth Co.; farmer; ens. to capt., 1st Regt., Monmouth, Oct. 1777; with Council of Safety raided Loyalist settlements, Flatbush, L.I., June 1778; whaleboat privateer with Capt. John Huyler; attacked and captured refugee raiding party, Pleasant Valley, N.J., Feb. 1782.
- SCHUYLER, PHILIP JOHN (1733–1804): N.Y.; maj. gen., Cont. army, 1775–1779; member, Cont. Congress, 1778–1781; N.Y. State Senate, 1780–1784 (see vols. 1, 2, & 3).
- SCUDDER, JOHN: capt., Essex Co. militia; capt., state troops.
- SCUDDER, JOSEPH (1762–1843): Freehold, Monmouth Co.; attorney; son of Nathaniel Scudder; clerk, War Office, Cont. Congress, 1779–1780; lt., Monmouth militia, 1780–1781.
- SCUDDER, NATHANIEL (1733–1781): Freehold, Monmouth Co.; physician; father of Joseph Scudder; Cont. Congress, 1778–1779; N.J. General Assembly, Oct. 18, 1780; killed repelling a Loyalist refugee force at Shrewsbury (see vols. 1, 2, & 3).
- SEABROOK, THOMAS (1738–1805): Freehold, Monmouth Co.; lt. col., Cont. army, Nov. 1776–Mar. 1777; N.J. General Assembly, Oct. 1779 to at least 1782 (see vol. 1).
- SEARLE, JAMES (1730–1797): N.Y.C., Pa.; manager, U.S. lottery, 1776–1778; Navy Board, 1778; Cont. Congress, 1778–1780; trustee, Univ. of Pa., 1779–1781; commissioner to France and The Netherlands to negotiate loan for state of Pa., 1780–1782.
- SEBRING, ROELOFF (1729–1782): Hillsborough, Somerset Co.; General Assembly, 1777–1779; commissioner, Court of Common Pleas, 1781 (see vol. 1).
- SEELY (SEELEY), SILVANUS (1740–1821): Chatham, Morris Co.; farmer; innkeeper; capt. to col., Morris militia, 1776 to at least 1781; court-martialed for trading with Britain, Apr.–May, 1780; acquitted, May 5, 1780 (see vols. 2 & 3).
- SELLERS, HENRY: Monmouth Co.; convicted and sentenced to be executed for robbery, Court of Oyer and Terminer, Freehold; pardoned by Privy Council, Jan. 1, 1781.
- SERVISS (SERVIE), PHILIP (ca. 1750–1818): Hunterdon Co.; lt., 3d regt., Hunterdon.
- SHARPE, WILLIAM (1742–1818): Md., later N.Y.; attorney and surveyor; Provincial Congress, 1775; aide to Gen. Griffith Rutherford, Indian campaign, 1776; commissioner appointed by Gov. Richard Caswell to form treaty with Indians, 1777; N.Y. Constitutional Convention, 1776; Cont. Congress, 1779–1782; N.Y. House of Representatives, 1781, 1782.
- SHELBURNE, WILLIAM PETTY, EARL OF (1737–1805): Great Britain; secretary of state for the Southern Department, 1766; resigned, 1768; home secretary, 1782; 1st lord of the Treasury, 1782–1783; conceded independence to U.S. and made peace with France and Spain, 1783.
- SHELDON, ELISHA (1740–1805): Conn.; maj., comdr., Conn. light horse battalion, June 1776; col., 2d Cont. dragoons, Dec. 12, 1776 to close of war; brevet brig.-gen., Sept. 30, 1780.
- SHEPPERD (SHEPHERD), MOSES (1743–1818): Middletown, Monmouth Co.; lt., Capt. David Anderson's company, state troops; lt. to capt., 1st regt., Monmouth

- 1780–1782; member, Gen. David Forman's Monmouth Committee of Retaliation, July 1780.
- SHREVE, ISRAEL (1739–1799): Gloucester Co.; lt. col. to col., Cont. army, 1775–1781 (see vols. 1, 2, & 3).
- SHREVE, WILLIAM (1737–1812): Mansfield, Burlington Co.; maj. to col., Cont. army, Sept. 1776 to at least Mar. 1782 (see vols. 1 & 3).
- SINGLETON, ANTHONY (1750–1795): Va.; capt., 1st Cont. artillery, Feb. 7, 1777; retired Jan. 1, 1783.
- SKIKKIT (SKEKIT, SKICKET), JACOB: Munsee tribe, Brotherton, Burlington Co.
- SKIKKIT (SKEKIT, SKICKET), ROBERT: elder, Munsee tribe, Brotherton, Burlington Co.; served under Col. Israel Shreve, N.J. Line, Cont. army.
- SKINNER, ABRAHAM (d. 1826): Pa.; ens. to 1st Lt., Pa. Line, Cont. army, Aug. 1776; taken prisoner at Germantown, Oct. 4, 1777; exchanged June, 1778; commissary-gen. of prisoners, Sept. 15, 1780; resigned Aug. 22, 1782, but continued to function until accounts were settled, Jan. 1783 (see vol. 3).
- SKINNER, STEPHEN (d. ca. 1809): Perth Amboy, Middlesex Co., later Newark, Essex Co.; Loyalist; brother of Cortlandt Skinner; fled to N.Y., spring 1777; maj., N.J. Volunteers, 1778; lands confiscated and forfeited (see vol. 1).
- SMITH, JOHN: brother of Joshua H., Thomas, and William S. Smith; pre-Revolutionary Whig leader in N.Y.C.; suspected by WL of spying for Britain, under pretext of studying law in Morristown, Jan. 1782.
- SMITH, THOMAS: brother of John, Joshua H., and William S. Smith; attorney; pre-Revolutionary Whig leader in N.Y.C., later Loyalist; 1st and 2d Provincial Congress; gave up N.Y.C. home to Gen. Horatio Gates, retired to Haverstraw, N.Y., Apr. 1776; owner, Haverstraw residence, site of meeting between Arnold and André, Sept. 22, 1780; settled in Aquacknonk, Essex Co., N.J., 1782.
- SMITH, WILLIAM S., JR. (1728–1793): N.Y.C.; brother of John, Joshua H., and Thomas Smith; WL's relative; attorney; author; historian; Loyalist; placed on list of suspected persons and paroled to Livingston Manor, June 1777; banished to Brit. lines, July 1778; returned to N.Y.C.; member, Commission for Restoring the Peace to the Colonies; Governor's Council; Royal Chief Justice, N.Y.C., 1780; sailed for England with Sir Guy Carleton, 1783 (see vol. 1).
- SMYTH, JOHN (1722–1786): Perth Amboy, Middlesex Co.; attorney and colonial court official; treas., East New Jersey Board of Proprietors, 1774; taken prisoner, released on parole, 1776; fled to N.Y. with Board accounts; settled in London after the war (see vol. 1).
- SNOOK (SNUKE), PHILIP (ca. 1745–1816): Hunterdon Co.; capt., 1st regt., Hunterdon; wounded in battle of Monmouth, June 28, 1778; capt., 3d regt. Hunterdon.
- SNYDER, JACOB (1731–1804): Hunterdon; pvt., Hunterdon militia.
- SOLANO Y BOTE, JOSÉ (1726–1806): Spanish naval officer; commanded the squadron sent to Carribean, 1780 to at least 1782 (see vol. 3).
- SOMERS (SUMMERS), RICHARD: Great Egg Harbor, Gloucester Co.; j.p., Sept. 11, 1776; col., Gloucester militia, to at least July 1781 (see vol. 2).
- SPENSER (SPENCER), ELIHU (1721–1784): Trenton, Hunterdon Co.; Presbyterian clergyman; pastor of the First Presbyterian Church, Nov. 18, 1769–Dec. 7, 1784; hospital chaplain, Oct. 20, 1777–Nov. 9, 1780; chaplain, Provincial Congress (see vol. 3).
- SPROUT (SPROAT), EBENEZER (1752–1805): Mass.; capt. to maj., Mass. Regt., Apr. 23–Dec. 1775; maj., 3d Cont. infantry, Jan. 1–Dec. 31, 1776; lt. col., 4th Mass., Jan. 1, 1777; lt. col. and commandant, 12th Mass., Sept. 29, 1778; 2d Mass., Jan. 1, 1781; commissary, 1782; col., Sept. 30–Nov. 3, 1783.
- STEELE (STEAL, STEEL), WILLIAM: New Brunswick, N.J.; imprisoned by Provincial Congress, charged with leading party of five hundred insurrectionary blacks against white settlers; released after British took

L.I., Aug. 1776; returned to N.Y.; arrested for carrying news of American military maneuvers to British, Sept. 1781; emigrated to England, 1781.

STEELMAN (STILLMAN), JAMES, "HONEST JOHN" (1719–1786[8]): Greenwich Township, Gloucester Co.; trader; ship captain; captain of vessel carrying contraband lumber between Philadelphia and N.Y.C.; arrested Nov. 1780; indicted and convicted, Dec. 1782.

STEBEN, FRIEDRICH WILHELM AUGUSTUS, BARON VON (1730–1794): Prussia; inspector gen., Cont. army, Feb. 1778–1783; maj. gen., May 5, 1778; Washington's representative to Congress on matters of army reorganization, 1779–1780; fought at battle of Yorktown, 1781; assisted Washington in future defense and demobilization planning, 1783; American citizen by act of Pa. legislature, Mar. 1783 (see vol. 2).

STEVENS, JOHN, JR. (1749–1838): Lebanon, Hunterdon Co.; lawyer; state treas., 1776–1784; maj., Hunterdon militia, Feb. 1, 1777–Apr. 18, 1778 (see vol. 3).

STEVENS, JOHN, SR. (1715–1792): Lebanon, Hunterdon Co.; merchant; father of John Stevens, Jr.; N.J. Council, 1770–1782; v.p., Council of Safety, 1777–1778; v.p., Privy Council, 1776–1782; Cont. Congress, 1783–1784 (see vols. 1, 2, & 3).

STEWART, CHARLES (1729–1800): Kingwood, Lebanon, Hunterdon Co.; col., N.J. militia, 1775–1776; commissary gen. of issues, June 18, 1777–July 24, 1782 (see vol. 2).

STILES, EZRA (1727–1795): New Haven, Ct.; Congregational clergyman; scholar; educator; grad. Yale, 1746; tutor at Yale, 1749; pastor, Second Church, Newport R.I., 1755; Yale College, Mar. 1778.

STOCKTON, ROBERT (1730–1805): Windsor, Middlesex Co.; Western Precinct, Somerset Co.; asst. quartermaster and quartermaster, Mar. 1778–Aug. 1780.

STOCKTON, SAMUEL WITHAM (1751–1795): Hunterdon Co.; counselor-at-law; secretary to American Commission to the Courts of Austria and Prussia; negotiated treaty with The Netherlands; returned to

N.J., 1779; master, High Court of Chancery, May 12, 1781; secretary, N.J. Society for Promoting Agriculture, Commerce and the Arts, Aug. 1781; clerk, Hunterdon Co., Oct. 1781.

STORER (STORY), JOHN (1750–1816): Monmouth Co.; capt., naval service.

STOUT, CORNELIUS: Amwell, Hunterdon Co.; 2d maj., Hunterdon militia, June 19, 1776; 1st maj., Sept. 9, 1777; cashiered, May 14, 1781 (see vol. 2).

STOUT, JACOB: Hunterdon Co.; Hunterdon militia.

STOUT, JAMES (1758–1815): Hunterdon Co.; lt. to capt., Hunterdon militia; state troops; cont. army (see vol. 3).

STOUT, NATHAN (1748–1826): Hunterdon Co.; ens. to capt., Hunterdon militia.

STOUT, SAMUEL (1730–1803): capt. 2d and 3d regts., Middlesex militia; wounded Oct. 17, 1777.

SUFFREN DE SAINT TROPEZ, PIERRE ANDRÉ DE (1729–1788): France, naval officer; distinguished himself at Newport R.I., Aug. 1778; served under d'Estaing, 1778–1779; defeated British squadron commanded by George Johnstone at Porto Prayo in the Azores, Apr. 16, 1781, en route to a successful naval campaign in the Indian Ocean.

SULLIVAN, JOHN (1740–1795): N.H.; maj. gen., Cont. army, Aug. 9, 1776–Nov. 30, 1779; Cont. Congress, 1780–1781; atty. gen., N.H., 1782–1786 (see vols. 1, 2, & 3).

SUMNER (SUMMER), JETHRO (ca. 1735–1785): Va., N.C.; served in French and Indian War; lt., Va. militia; paymaster; commander of Ft. Bedford, 1760; Provincial Congress; maj., Halifax Co. minutemen, Aug.–Sept. 1775; col. to brig. gen., Cont. army, Apr. 15, 1776–1783; commanded militia brigade opposing Cornwallis's advance to Charlotte, N.C., Sept. 1780; comdr., three N.C. battalions, Cont. army; at Eutaw Springs, Sept. 8, 1781; retired Mar. 3, 1783.

SUMTER, THOMAS (1734–1832): S.C.; col., Cont. army; brig. gen., S.C. militia; merchant; led partisan troops against British

- and Loyalist forces in Carolinas, 1780, 1781–1782.
- SWEASY (SWAYZE, SWEESY, SWEZY), CALEB: Morris Co.; horse thief, N.Y. and Staten Island; escaped from Morris Co. jail after conviction for passing counterfeit money, Sept. 12, 1780; reward offered for apprehension, Aug. 8 and Oct. 9, 1781.
- TARLETON (TARLTON), BANASTRE (1754–1833): Great Britain; lt. col., comdr. of the British Legion; won victories in S.C. in 1780; conducted raid on Charlottesville, Va., on June 4, 1781, and another Va. raid July 9–24, 1781; held Gloucester until it and Yorktown surrendered, Oct. 1781; returned to England, 1782.
- TATE, ROBERT (WADDY) (1751–1789): S.C.; capt., S.C. dragoons, Apr. to Sept., 1781.
- TAYLOR, JOHN (1740–1830): Middlesex Co.; 1st maj., 2d regt., Middlesex, Aug. 16, 1776; lt. col., June 6, 1777.
- TAYLOR, JOHN (1751–1801): Middlesex Co.; lt. col. to col., Middlesex militia, June 6, 1777–Oct. 9, 1779; tutor, Queen's College (now Rutgers University), 1773–1790 (see vols. 1 & 3).
- TAYLOR, ROBERT (ca. 1730–1789): Waterford and Woolwich, Gloucester Co.; maj. to lt. col., Gloucester Co. militia.
- TEN BROECK, ABRAHAM (1734–1810): Albany; N.Y. Provincial Congress, 1775; Cont. Congress, 1775; col. to gen., N.Y. militia, 1775–1776; pres., N.Y. State Convention, 1776; pres., Committee of Safety, Dec. 1776; state senator, 1780–1783; justice, Court of Common Pleas, 1781–1794; mayor, Albany, 1779–1783.
- TERNAY, CHARLES LOUIS D'ARSAC, CHEVALIER DE (1722–1780): France; adm., French navy; commanded fleet that accompanied Rochambeau's expeditionary force to America, 1780; died at Newport, R.I., Dec. 12, 1780 (see vol. 3).
- TICHENOR (TICHENER), ISAAC (1754–1838): N.J., Vt.; asst. commissary of purchases for N.H. and Vt., 1777; Vt. House of Representatives, 1781–1784; agent to Congress to present Vt.'s claim for admission into the Union, 1782.
- 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, & 3).
- TILTON, SILVESTER (1747–1813): Egg Harbor, Monmouth Co.; pvt., Monmouth militia.
- TITUS, TIMOTHY (1746–1831): Hopewell, Hunterdon Co.; 2d lt. to capt., Capt. Henry Phillips's company, 1st regt., Hunterdon, May 10, 1777.
- TOSCAN, JEAN: France; vice consul gen. of France for four New England states, Aug. 1781.
- TOWNSEND, HENRY (1744–1789): Upper Precinct, Cape May Co.; capt., Cape May militia, June 7, 1777.
- TRENT, WILLIAM (1715–ca. 1787): Burlington Co. and Philadelphia; son of Chief Justice William Trent; Indian trader; land speculator; claimed 3.5 million acres of what is now W. Va. by virtue of Treaty of Fort Stanwix, 1768.
- 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 vols. 2 & 3).
- TRUMBULL, JONATHAN (1710–1785): Conn.; gov., Conn., 1769–1784 (see vols. 1, 2, & 3).
- TUCKER, WILLIAM (b. 1735): Trenton, Hunterdon Co.; capt., Hunterdon militia, June 19, 1776; commissioner, western battalion of N.J. line.
- VAN BUSSAM (VAN BUSSON), DAVID: Bergen Co.; lt., Bergen Co. militia; captured, May 1777; imprisoned in Sugar House and escaped after a year; promoted to capt.
- VAN CLEVE, BENJAMIN (1747–1836): Maidenhead, Hunterdon Co.; j.p., Sept. 7, 1776; maj., Hunterdon militia, Mar. 15, 1777; resigned, Nov. 13, 1777; Gen. Assembly, 1777, 1779–1781, 1783–1788.
- VAN DYKE, HENRY (HENDRICK) (1743–1817): New Brunswick, Middlesex Co.;

- col., 2d battalion, Somerset, Sept. 9, 1777; col., state troops, Oct., 9, 1779.
- VAN EMBURGH, JOHN: New Brunswick, Middlesex Co.; freeholder; 2d maj. to 1st maj., 2d regt., 1776–1777; taken prisoner at Toms River, May 14, 1780; escaped.
- VAN HORNE, DAVID (d. 1807): N.Y.; merchant; member with WL of the Whig Club, 1752; capt., Cont. regt., June 5, 1777; retired, Apr. 23, 1779.
- VAN MATER, CHRINOYANCE: Middletown, Monmouth Co.; farmer; mill owner; Loyalist; joined N.J. Volunteers, 1776; property confiscated, 1779; taken prisoner by militia at Shrewsbury in July 1780 and jailed in Philadelphia; escaped to N.Y.C., Jan. 1781.
- VAN MATER, HULDAH: sister of Asher Holmes and wife of Chrinoyance Van Mater.
- VAN VEGHTEN (VECHTEN, VACHTER), DIRCK (DERRICK) (1699–1781): Bridgewater, Somerset Co.; landowner in Raritan whose land was used as winter quarters for a division of the Cont. army, 1778–1779.
- VAN WERT (WART), ISAAC (1758–1828): N.Y.; pvt., N.Y. militia; captured Maj. John André.
- VAUGHAN, JOHN (ca. 1748–1795): Great Britain; col., British army, 1772; maj. gen., Jan. 1, 1776; returned to Great Britain, 1779.
- VERGENNES, CHARLES GRAVIER, COMTE DE (1717–1787): France; French foreign minister; instrumental in creating the alliance between the United States and France, 1778.
- VISCHER, MATTHEW (1751–1793): N.Y.; lt. to capt., N.Y. militia.
- VOORHEES, PETER (d. 1779): 2nd lt., 1st N.J. regt., Oct. 29, 1775; 1st lt., 1st N.J. regt., Nov. 29, 1776; capt., Nov. 1, 1777; captured and killed by Queen's Rangers, Oct. 29, 1779 (see vol. 3).
- WADE, HUMPHREY: horse thief; convicted of stealing horses, Jan. 23, 1781; sentenced to death; escaped Feb. 14, 1781.
- WADSWORTH, JEREMIAH (1743–1804): Conn.; col. and commissary gen. of purchases, Cont. army, Apr. 9, 1778; resigned Jan. 1, 1780 (see vols. 2 & 3).
- WALKER, JOHN (1744–1809): Va.; farmer; lawyer; col., Cont. army; aide to Washington, 1777; Cont. Congress, 1780.
- WALTON, JOHN: Freehold, Monmouth Co.; sgt. to capt., light dragoons, Monmouth; capt. to maj. dragoons, Maj. Samuel Hayes's battalion, state troops.
- WARD, JONAS (1748–1801): Essex Co.; capt., Eastern battalion, Morris Co.; capt., Essex Co. militia; capt., state troops.
- WARD, PETER (1756–1812): Bergen Co.; capt., light horse, Bergen militia; capt., Maj. Samuel Hayes's battalion, state troops, 1781–1782 (see vol. 3).
- WARD, THOMAS: Newark, Essex Co., Orange Co., N.Y.; Loyalist; deserted from Cont. army to British army, N.Y., 1777; engaged in intelligence; appointed capt. of company of Loyalist refugees and commanded block house on Hudson River, 1780; property confiscated; moved to Nova Scotia, Canada, after war.
- WARREN, JAMES (1726–1808): Plymouth, Mass.; merchant; farmer; pres. of Provincial Congress of Mass., 1775; speaker of the Mass. House of Representatives in the new Gen. Court, 1776, 1787.
- WASHINGTON, GEORGE (1732–1799): Va.; comdr. in chief, Cont. army, June 15, 1775, to end of war.
- WASHINGTON, JOHN (1632–1677): ancestor of George Washington; col. in Va. militia.
- WASHINGTON, WILLIAM (1752–1810): Va.; cousin of George Washington; statesman; capt., 3d Virginia, Feb. 1776; maj., 4th Cont. Dragoons, Jan. 1777; lt. col., 3d Dragoons, Nov. 1778; awarded medal by Congress for action at Cowpens, 1781; wounded three times; taken prisoner at Eutaw Springs, Sept. 1781, and on parole until end of war.
- WATKINS, JOHN FLINT (1781–1782): child of WL's daughter Judith and John W. Watkins.
- WATKINS, JOHN W. (1757–1813): N.Y.; merchant; son-in-law of WL; married Judith Livingston, Apr. 6, 1780; 2d lt. to

- maj., Cont. army, Feb. 1776–Apr. 1780 (see vol. 3).
- WATKINS, JUDITH LIVINGSTON (1758–1843): daughter of WL; wife of John Watkins, 1780 (see vol. 3).
- WATTS, ROBERT (1743–1814): N.Y.; Loyalist; property confiscated, 1779; married to Mary Alexander, daughter of Lord Stirling and niece of WL (see vol. 3).
- WAYNE, ANTHONY (1745–1796): Pa.; col. to maj. gen., Cont. army, Jan. 3, 1776–Sept. 30, 1783 (see vols. 2 & 3).
- WEARE, MESHECH (1713–1786): N.H.; pres., N.H. Council; chairman, Committee of Safety, 1776–1784; chief justice, 1776–1782 (see vol. 3).
- WEBB, SAMUEL BLACHLEY (d. 1817): Conn.; 1st lt. to brig. gen., Cont. army, May 1775–1783; taken prisoner on L.I. and paroled, Dec. 1777; exchanged, Dec. 1780.
- WEBSTER, JOHN: Middlesex Co.; lt. col., Middlesex militia, Mar. 31, 1778; col., April 1778–1780 (see vol. 3).
- WELLS, SAMUEL (1730–1786): Cumberland Co., N.H.; N.Y.; militia officer; judge of the Court of Common Pleas; House of Assembly, N.Y.; suspected Loyalist.
- WHEELOCK, ELEAZAR (1711–1779): Windham, Conn.; Congregational clergyman; pastor of Second Church, Lebanon, Conn., 1735–1770; founded Dartmouth College, Hanover, N.H., 1769.
- WHEELOCK, JOHN (1754–1817): Lebanon, Conn.; son of Eleazar Wheelock; pres., Dartmouth, 1779–1815.
- WHITE, PHILIP (d. 1782): N.Y. or N.J.; Loyalist; taken prisoner by Patriots and killed while attempting to escape; his death precipitated the British retaliation against Joshua Huddy.
- WHITE, ROBERT: Philadelphia; merchant; comdr. of royal cutter; captured by Capt. Adam Hyler, 1781; exchanged despite efforts by Washington and WL to retain him; estate confiscated.
- WHITE, WILLIAM (1748–1836): Pa.; Episcopal clergyman; rector, Christ Church, Philadelphia, 1776–1836; chaplain of Congress, Dec. 23, 1776, 1779 (see vol. 3).
- WIKOFF, AUKE (AUKEY) (1748–1820): Monmouth County; lt. col. to col., 3d regt., Monmouth, from July 23, 1776; prisoner of war, Sept. 1780.
- WIKOFF, SARAH: Monmouth Co.; sister of John Schenck and wife of Auke Wikoff.
- WILCOCKS (WILLCOCKS, WILCOX), WILLIAM, JR. (1750–1826): Kingston, Middlesex Co.; N.Y.C.; lawyer; 3d lt., 1st battalion, N.Y. Independents, 1776; capt., Cont. army, 1776; aide-de-camp to Lord Stirling, Apr. 1777; resigned, Oct. 1777.
- WILLARD, JOSEPH (1738–1804): Mass.; Congregational clergyman; pastor, Beverly, Mass.; founder of American Academy of Arts and Sciences, 1780; pres., Harvard College, 1781–1804.
- WILLETT, MARINUS (d. 1830): Cont. army, capt., 1st N.Y., June 1775–May 1776; lt. col., 3d N.Y., Nov. 21, 1776; lt. col. to col., 5th N.Y., July to Nov. 1780; retired 1781; subsequently served as col., N.Y. levies and militia.
- WILLIAM II (1626–1650): Netherlands stadholder, 1647–1650.
- WILLIAM III (1650–1702): Netherlands, Great Britain; prince of Orange; accepted the crown of Great Britain with his wife, Mary Stuart, 1689; king of Great Britain, 1694–1702 (see vol. 2).
- WILLIAM V (1748–1806): Netherlands; prince of Orange; stadholder, 1751–1795; immigrated to Great Britain, 1795 (see vol. 2).
- WILLIAM HENRY (1765–1837): Great Britain; prince; William IV, 1830–1837; midshipman, 1780; lt., 1785; rear adm., 1790; vice adm., 1794; adm., 1799; adm. of the fleet, 1811.
- WILLIAMS, DAVID (1754–1831): N.Y.; pvt., N.Y. militia; captured Maj. John André and awarded \$200 in specie annually and a silver medal by Congress.
- WILSON, PETER (1746–1825): New Barbadoes, Bergen Co.; educator; philologist; assemblyman, 1778–1783; appointed to revise and codify N.J. laws, 1783 (see vol. 3).
- WINANS (WINANTS), WILLIAM: Elizabethtown, Essex Co.; freeholder; surgeon,

1st regt., Essex, July 15, 1776; surgeon, Col. Edward Thomas's battalion, July 24, 1776.

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, & 3).

WOODFORD, WILLIAM (1734–1780): Va.; col., Cont. army, Feb. 13, 1776; brig. gen., Feb. 21, 1777; captured at Charleston, May 12, 1780; died in captivity, Nov. 1780.

WOODRUFF, ISAAC (1722–1803): Elizabethtown, Essex Co.; barrack master, Elizabethtown, 1776; purchasing commissioner of military stores, eastern division, N.J., 1776; paymaster, Essex Co., 1778; judge and j.p., 1777–1788; N.J. Gen. Assembly, 1778.

YATES, ABRAHAM (1724–1796): Albany, N.Y.; Albany official; anti-federalist pamphleteer; chairman, Albany Committee of Correspondence, 1774–1776; head of N.Y. Constitutional Convention, 1776–1777; state senator, 1777–1790; receiver of Albany, 1778, 1779; 1st postmaster, Albany, 1783; Cont. Congress, 1787–1788; mayor, Albany, 1790–1796.

YATES, PETER WALDRON (1747–1826): Albany, N.Y.; lawyer; Committee of Correspondence, 1775; regent of the Univ. of the State of N.Y., 1784; state assembly, 1784–1785; Cont. Congress, 1785–1787.

YOUNG, JOHN (d. 1781): capt. of sloop *Independence*, 1778; *Independence* wrecked on Ocracoke bar, Apr., 1778; appointed capt. of sloop *Saratoga*, 1780, which was lost at sea, Mar. 1781.



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*William Livingston to John Jay, January 28, 1781*

"I . . . am greatly mortified at the defection of the Jersey Line.  
. . . I am very apprehensive that the army will suffer for the  
want of supplies as much this winter as they did the last, &  
perhaps not bear it with equal good humour."

*William Livingston to Robert Livingston, December 17, 1781*

". . . my poor girls are so terrified at the frequent incursions of  
the refugees into Elizabethtown, that it is a kind of cruelty to  
insist on their keeping at home."

*William Livingston to George Washington, October 1780*

"I most heartily congratulate your Excellency upon the timely  
Discovery of General Arnold's treasonable Plot to captivate your  
Person, & deliver up West Point to the Enemy."

*"Scipio" (October 1780)*

"Thus every part of the state is reduced from its former plenty  
of cash, to a real scarcity, having little else to shew for the  
produce of their labour but certificates."

*William Livingston to John Witherspoon, December 28, 1780*

". . . rather than run the hazard of being fully subjugated by  
Britain . . . I would vote for a Dictator & in that case I should  
prefer no man on the Continent before him to whom I verily  
believe a kind Providence directed us in our choice of a  
Generalissimo."

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