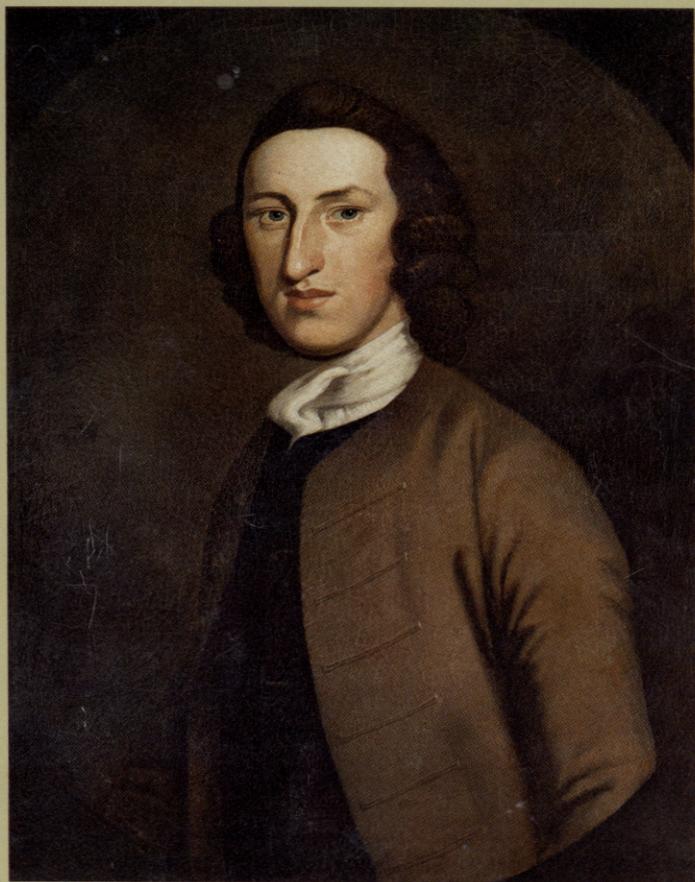


THE PAPERS OF  
**William Livingston**

EDITED BY CARL E. PRINCE,  
MARY LOU LUSTIG, DAVID WILLIAM VOORHEES,  
AND ROBERT J. WEISS



VOLUME 5: APRIL 1783—AUGUST 1790

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THE PAPERS OF WILLIAM LIVINGSTON

*Wm Livingston* David  
 and Deputy from Virginia  
 New Hampshire { *John Langdon*  
                               *Nicholas Johnson* }  
 Massachusetts { *Nathaniel Gorham*  
                               *Rufus King*  
                               *Wm. Saml. Johnson* }  
 Connecticut { *Roger Sherman*  
 New York { *Alexander Hamilton*  
                               *Wm. Livingston*  
 New Jersey { *David Brearley*  
                               *Wm. Paterson*  
                               *Jonas Dayton*  
                               *Wm. Livingston*  
                               *Thomas Mifflin*  
                               *Wm. Morris*  
 Pennsylvania { *Geo. Clymer*  
                               *Thos. Fitzsimons*  
                               *John Jay*  
                               *James Wilson* }

William Livingston's signature on the United States Constitution. Courtesy of the Library of Congress. The Constitutional Convention adjourned on Monday, Sept. 17, 1787, after a summer spent in deliberation and compromise. William Livingston, David Brearley, William Paterson, and Jonathan Dayton signed the Constitution for New Jersey.

THE PAPERS OF  
**William Livingston**

VOLUME 5

April 1783–August 1790

Carl E. Prince  
Mary Lou Lustig  
David William Voorhees  
Editors

Robert J. Weiss  
Associate Editor

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For Thomas H. Kean

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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 ellipsis points 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.

The basic format of this fifth and final volume of *The Papers of William Livingston* is similar to that of previous volumes with the following exceptions. An appendix has been added with Livingston's poems and posthumously published essays. This appendix follows the last document.

In addition to the Biographical Directory found in previous volumes, this volume contains a new biographical section. These biographical essays contain more detailed information than heretofore provided in earlier volumes on New Jersey figures and members of the Livingston family who appear in one or more of the five volumes. The genealogical table which appears in the front of this volume contains both corrections and substantially more information than the tables found in earlier volumes.

## 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 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

CAOOA	Public Archives of Canada, Ottawa, Canada
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
NjFICoC	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
NjRuF	Fairleigh Dickinson University, Rutherford, NJ
NjSalHi	Salem County Historical Society, Salem, 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
OM	Marietta College, Marietta, OH
PDHi	Spruance Library, Bucks County Historical Society, Doylestown, PA
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
PPInd	Independence National Historical Park, 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
WHi	State Historical Society of Wisconsin, Madison, WI

## 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)
Bigelow, <i>Works of Franklin</i>	John Bigelow, ed., <i>The Complete Works of Benjamin Franklin</i> , 10 vols. (New York, 1887)
<i>Biography of Congress</i>	<i>Biographical Directory of the American Congress, 1774–1961</i> , US Government Printing Office, 1961.
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)

- Brieven* William Hendrik de Beaufort, ed., *Brieven van en aan Joan Derck van der Capellen van der Pol*, (Utrecht, 1879)
- Burnett, *Letters* Edmund C. Burnett, ed., *Letters of Members of the Continental Congress*, 8 vols. (Washington, D.C., 1921–1936)
- Butterfield, *Adams Papers* L.H. Butterfield, ed., *The Adams Papers* (Cambridge, Mass., 1961–)
- The Collector* Walter K. and Mary A. Benjamin, eds., *The Collector* (New York)
- Correspondence of the Executive* *Selections from the Correspondence of the Executive of New Jersey, from 1776 to 1787* (Newark, N.J., 1848)
- Council of Safety* *Minutes of the Council of Safety of the State of New Jersey* (Jersey City, 1872)
- DAR National Society of the Daughters of the American Revolution, *DAR Patriot Index* (Washington, DC, 1966)
- Davies, *Documents* K.G. Davies, ed., *Documents of the American Revolution 1770–1783*, 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:Kunkel Library of Congress: Julia Kunkel Collection
- DLC:GW Library of Congress: Papers of George Washington
- De Pauw, *Senate Journal* Linda Grant De Pauw, ed., *Senate Legislative Journal* (Baltimore, 1972)
- De Pauw, *House Journal* Linda Grant De Pauw, ed., *House of Representatives Journal, 1st Congress, 1789–1791* (Baltimore, 1977)
- DNA:PCC National Archives: Papers of the Continental Congress
- Eastern NJ Proprietors* Maxine N. Lurie and Joanne R. Walroth, eds., *The Minutes of the Board of Proprietors of the Eastern Division*

- of *New Jersey from 1764–1794*, vol. 4 (New Jersey Historical Society: 1985)
- Evans Charles Evans et al., *American Bibliography*, 14 vols. (Chicago, 1903–1959)
- Farrand, *Records of the Federal Convention* Max Farrand, ed., *The Records of the Federal Convention of 1787*, 4 vols. (New Haven and London, 1937)
- Ferguson, *Papers of Robert Morris* E. James Ferguson, ed., *The Papers of Robert Morris*, 6 vols. (Pittsburgh, 1973)
- Fitzpatrick, *Writings of Washington* John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources, 1745–1799*, 39 vols. (Washington, D.C., 1931–1944)
- Force, *American Archives* Peter Force, comp., *American Archives . . .*, Fourth and Fifth Series, 9 vols. (Washington, D.C., 1837–1853)
- General Assembly *Votes and Proceedings of the General Assembly of the State of New Jersey*
- Hansard, *Parliamentary History* T. C. Hansard, printer, *The Parliamentary History of England, from the Earliest Period to the Year 1803*, 36 vols. (London, 1806–1820)
- Heitman, *Historical Register* Francis B. Heitman, *Historical Register of Officers of the Continental Army During the War of the Revolution, April, 1775 to December, 1783*. (Washington, DC, 1914)
- Hoffman, *Eleven Generations of the Hoffmans* William Wickham Hoffman, *Eleven Generations of the Hoffmans in New York: Descendants of Martin Hoffman, 1657–1957* (New York, 1957)
- JCC Worthington C. Ford et al., eds., *Journals of the Continental Congress, 1774–1798*, 34 vols. (Washington, D.C., 1904–1937)
- Joint Meeting *Minutes and Proceedings of the Council and General Assembly of the State of New-Jersey in Joint-Meeting* (August 30, 1776–March 17, 1780)

- Jones, *History of New York* Thomas Jones, *History of New York during the Revolutionary War*, 2 vols. (New York, 1879)
- Klein, *Independent Reflector* Milton M. Klein, *The Independent Reflector* (Cambridge, Mass., 1967)
- Lamb, *NYC History* Mrs. Martha J. Lamb and Mrs. Burton Harrison, *History of the City of New-York* (New York, 1896)
- Laws of New York* New York State, *Laws of the State of New-York*, January 3–May 5, 1786, ninth session (Albany, 1786)
- Legislative Council* *Journal of the Proceedings of the Legislative-Council of the State of New-Jersey*
- Livingston Papers* Carl E. Prince, Dennis P. Ryan, and Mary Lou Lustig, eds., *The Papers of William Livingston, June 1774–June 1777; July 1777–December 1778; January 1779–1780; July 1780–April 1783*, 4 vols. (Trenton, 1979, 1980; New Brunswick, 1986, 1987)
- Madison, *Debates* Gaillard Hunt and James Brown Scott, eds., *The Debates in the Federal Convention of 1787, reported by James Madison* (Westport, 1920, 1970)
- 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. Calender of Wills, 1730–1817*, First Series, vols. 30–42 (Trenton and elsewhere, 1918–1949)

- 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* *New-Jersey Journal* (Chatham)  
*NN:Lyon* William Livingston Draft Letter-books at the New York Public Library
- N.Y. Gazette & Weekly Mercury* The *New-York Gazette; and the Weekly Mercury* (New York and Newark)
- N.Y. Historical Collections* *Collections of the New-York Historical Society*
- O'Callaghan, *Documentary History of New York* E. B. O'Callaghan, ed., *Documentary History of New York*, 4 vols. (Albany, 1849–1859)
- O'Callaghan, *New York Colonial Documents* E. B. O'Callaghan, ed., *Documents Relative to the Colonial History of New York*, 15 vols. (Albany, 1856–1887)
- 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)
- Palmer, *Sketches of Loyalists* Gregory Palmer, *Biographical Sketches of Loyalists of the American Revolution* (Westport, CT, London, 1984)

- 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)
- Ricord, NJA* *New Jersey Archives*, prepared by Frederick W. Ricord (Newark, 1888)
- 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*, 2 vols. (New York, 1971)
- Stevens's Facsimiles* *B.F. Stevens's Facsimiles of Manuscripts in European Archives Relating to America*, 25 vols. (Wilmington, Del., 1970)
- Stryker, Official Register* William S. Stryker, *Official Register of the Officers and Men of New Jersey in the Revolutionary War*, revised edition (Baltimore, 1967)

- Syrett, *Hamilton Papers* Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, 17 vols. (New York and London, 1961–1972)
- Thayer, *As We Were* Theodore Thayer, *As We Were: The Story of Old Elizabethtown* (Elizabeth, NJ, 1964)
- 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)
- Van Rensselaer, *Livingston Family* Florence Van Rensselaer, *The Livingston Family in America and Its Scottish Origins* (New York, NY, 1949)
- Votes* *Votes of the General Assembly of the State of New Jersey*
- Wharton, *Revolutionary Diplomatic Correspondence* Francis Wharton, ed., *The Revolutionary Diplomatic Correspondence of the United States*, 8 vols. (Washington, D.C., 1921–1936)
- Wheeler, *Ogden Family* William Ogden Wheeler, *The Ogden Family in America*, Lawrence Van Alstyne and Rev. Charles Burr Ogden, eds. (Philadelphia, 1907)
- Willcox, *Franklin Papers* *The Papers of Benjamin Franklin* (New Haven, 1978)



## CHRONOLOGY

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

1783

April 18–23	In Trenton
April 25	In New Brunswick
May 2–12	In Elizabethtown
May 15–June 20	Met with Legislative Council in Burlington
June 24	In Trenton
June 26	In Princeton
June 30–August 1	In Elizabethtown
August 2	Met with Privy Council in Springfield
August 10–September 15	In Elizabethtown
September 17	Met with Privy Council in Springfield
October 28–December 24	Met with Legislative Council in Trenton
November 7	Reelected governor by Joint Meeting in Trenton

1784

January 12–April 5	In Elizabethtown
April 14	Met with Privy Council in Trenton
June 4–July 6	In Elizabethtown
August 5–30	Met with Legislative Council in Trenton
September 1	Met with Privy Council in New Brunswick

September 29–October 11	In Elizabethtown
October 26–December 24	Met with Legislative Council in Trenton
October 29	Reelected governor by Joint Meeting in Trenton
	1785
January 5–May 14	In Elizabethtown
May 18–19	Met with Privy Council in Trenton
May 25	In Burlington
May 30–June 10	In Elizabethtown
June 25	In New York
June 29	In Flatbush
August 14	In Elizabethtown
October 25–November 29	Met with Legislative Council in Trenton
October 29	Reelected governor by Joint Meeting in Trenton
December 8–31	In Elizabethtown
	1786
January 3	In Elizabethtown
February 15–March 24	Met with Legislative Council in Trenton
March 29–May 5	In Elizabethtown
May 18–31	In New Brunswick
June 1–7	Met with Legislative Council in Trenton
June 15–September 27	In Elizabethtown
October 25–November 23	Met with Legislative Council in Trenton
November 1	Reelected governor by Joint Meeting in Trenton
	1787
January 1–April 23	In Elizabethtown
May 5	In Trenton

May 18–28	In Burlington
May 29–June 3	Met with Legislative Council in Trenton
June 5–July 3	With Federal Convention in Philadelphia
July 4	In Trenton
July 12–19	In Elizabethtown
July 21–27	With Federal Convention in Philadelphia
July 28–August 5	In Susquehanna
August 6–September 17	With Federal Convention in Philadelphia
September 19–October 4	In Elizabethtown
October 25–November 7	Met with Legislative Council in Trenton
November 1	Reelected governor by Joint Meeting in Trenton
November 26–December 31	In Elizabethtown
	1788
January 1–May 2	In Elizabethtown
May 21–22	Met with Privy Council in Trenton
June 3	Met with Privy Council in Elizabethtown
June 26–August 19	In Elizabethtown
August 29	In Trenton
September 1–11	Met with Legislative Council in Trenton
October 13–20	In Elizabethtown
October 31–December 1	Met with Legislative Council in Trenton
November 12	Reelected governor by Joint Meeting in Princeton
November 25–28	In Princeton
December 12–31	In Elizabethtown

## CHRONOLOGY

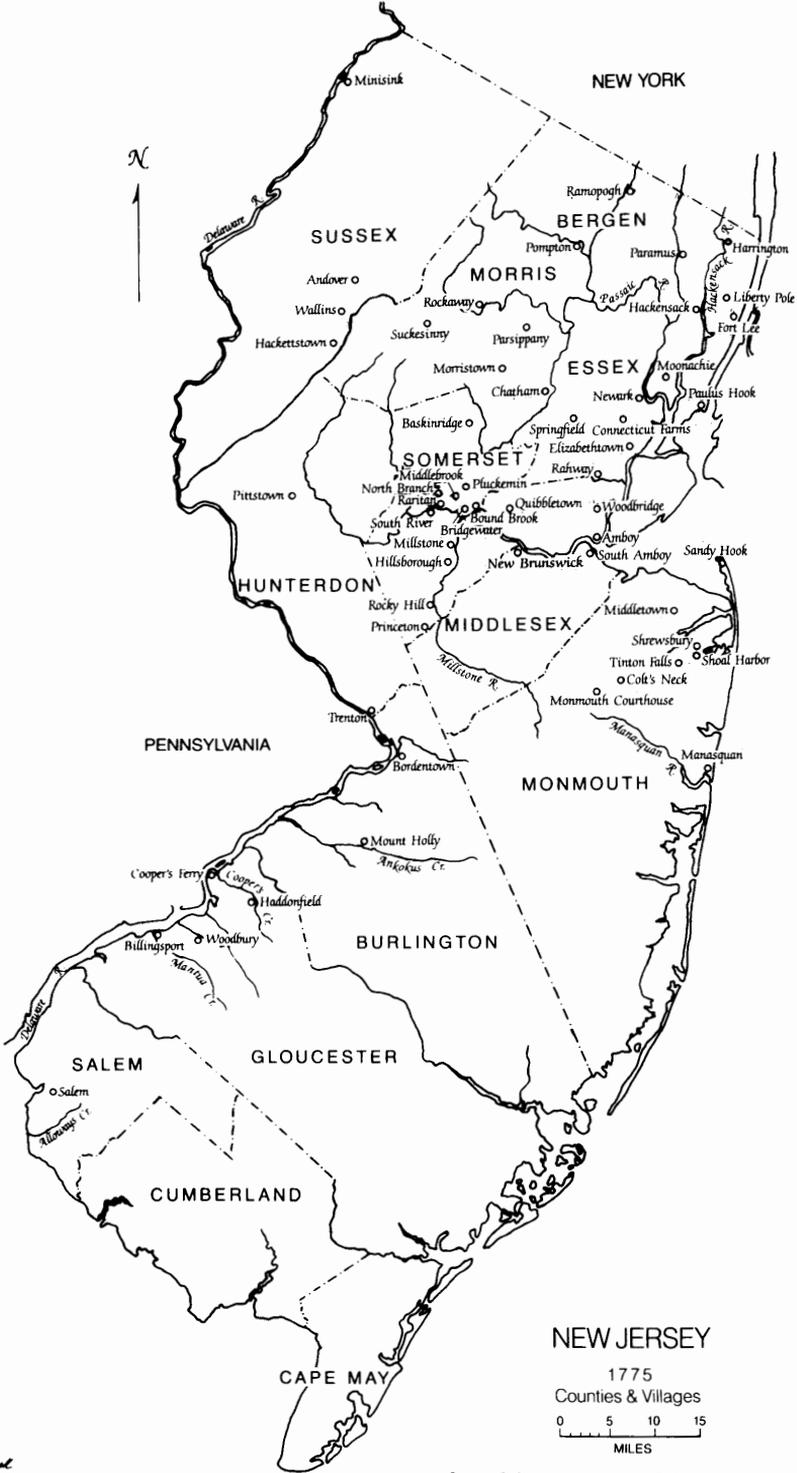
1789

January 5	In Elizabethtown
January 7	In Princeton
January 19–May 16	In Elizabethtown
May 20	Met with Privy Council in Trenton
June 8–September 19	In Elizabethtown
October 27–December 1	Met with Legislative Council in Perth Amboy
November 20	Reelected governor by Joint Meeting in Perth Amboy

1790

January 18–May 14	In Elizabethtown
May 15–June 12	Met with Legislative Council in Perth Amboy

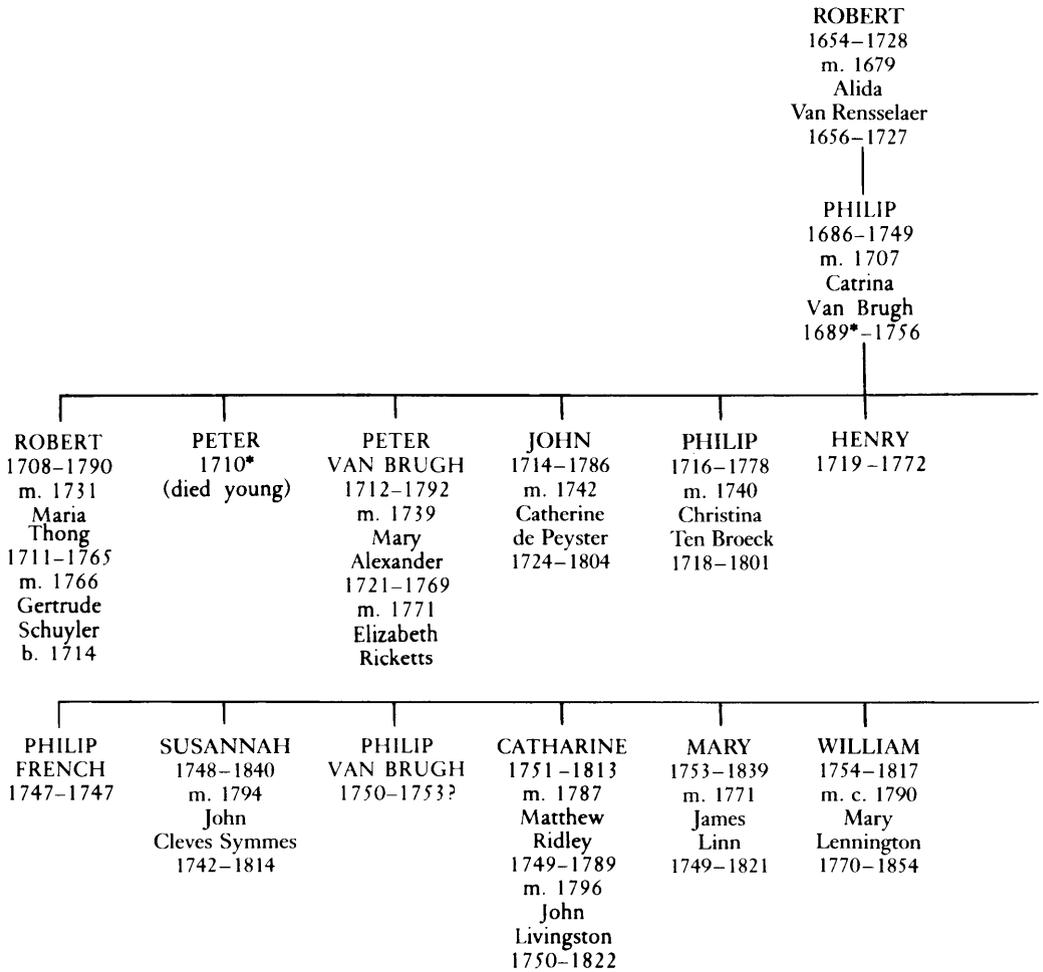
New Jersey Counties and Villages, 1775. Drawn by Kristine Campbell.



*Campbell*

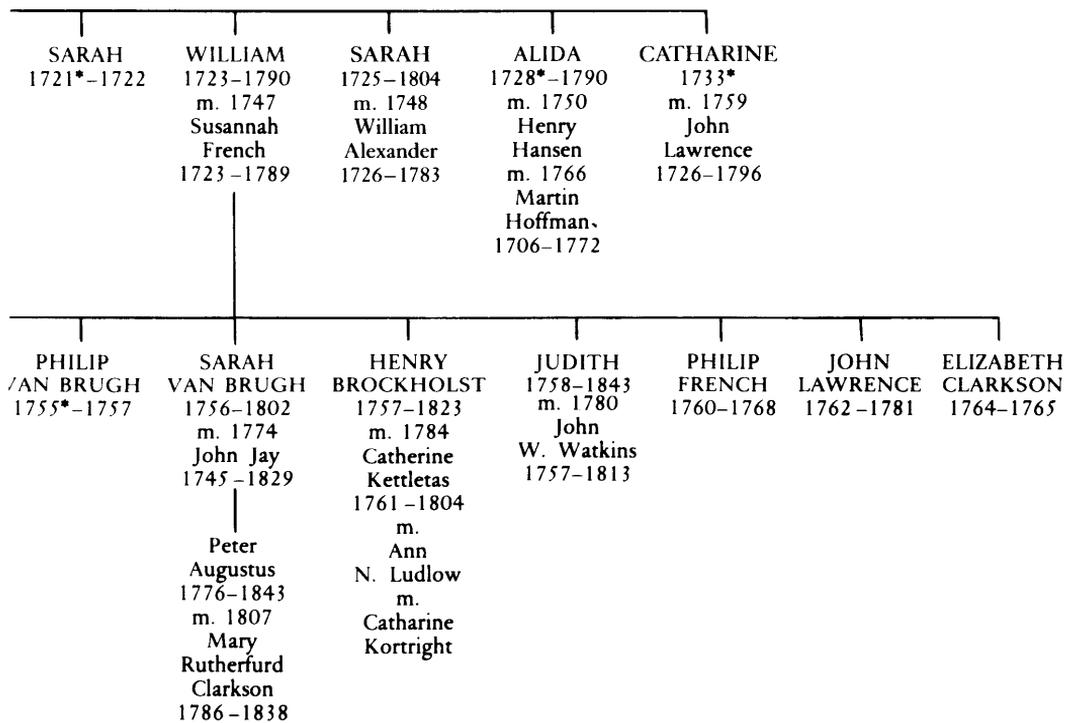
adapted from a map by John P. Snyder

# GENEALOGY



NOTE: This table contains substantial changes from the tables appearing in previous volumes.

\* date of baptism





THE PAPERS OF WILLIAM LIVINGSTON



*“The accomplishment of  
a glorious Peace”  
A Return to  
Peacetime Employs*

*April 19, 1783 –  
December 6, 1783*

With the news of the signing of the Treaty of Paris came a sense of relief and accomplishment. New Jersey residents and their governor, after seven bitter years of almost constant warfare, could finally turn their thoughts to peacetime concerns. Gov. William Livingston, after receiving the thanks of a grateful citizenry for “the full establishment of the Independence of America, and the accomplishment of a glorious Peace,”<sup>1</sup> worked to establish the state on a peacetime basis.

Despite the signing of the treaty, military problems remained while the British occupied New York City. Raids on New Jersey were still a distinct possibility as long as disgruntled Loyalists were concentrated there. The effects of one raid by Loyalist Cornelius Hetfield, Jr., occupied much of Livingston’s time during the summer of 1783. In May of that year Hetfield, who held a British commission as captain of Gen. Cortlandt Skinner’s New Jersey Royal Volunteers, was accused by an Elizabethtown family of armed robbery. The British, who seized Hetfield, insisted that since he held a commission in the British army, he be

tried by a military court. Livingston, on the other hand, demanded Hetfield be returned to New Jersey where he could be tried as a civil prisoner in a court of common law. Despite Livingston's frequent demands on British commander Sir Guy Carleton to deliver Hetfield "to the Authority of this State,"<sup>2</sup> Carleton refused and Hetfield was exonerated by a court-martial. He eventually left the United States to settle briefly in Nova Scotia and then in England.

Hetfield, whose father was an ardent patriot, was only one of thousands of New Jerseyans who were forced to abandon their homeland following the conclusion of the war. Among other refugees was William Bayard, Governor Livingston's cousin, who had extensive landholdings in New York and New Jersey. Bayard's confiscated Hoboken estate was coveted by Baron von Steuben, who made an unsuccessful bid to obtain it in 1783. The property, eventually acquired by John Stevens, Jr., is the site of present-day Stevens' Academy. Bayard left the United States for England in November 1783, when the British evacuated New York City.

Financial concerns were chief among the peacetime problems that faced Governor Livingston and other New Jerseyans. Money continued to be in short supply, as Livingston discovered when he tried to collect debts. Lack of cash affected the Continental Congress as well, and the army remained unpaid. The soldiers' discontent over nonexistent wages escalated to such a degree that in June, 500 soldiers from the Pennsylvania line mutinied and marched on Congress, then sitting in Philadelphia, offering "Insult to the Dignity & Honor of the Federal government."<sup>3</sup> Frightened congressmen, who lacked the means to pay the troops, fled the city. With Governor Livingston's approval, Congress reconvened in Princeton, then later that same year moved to Annapolis, and in 1785, to New York.

Exacerbating financial problems for the nation was the reluctance of states with western lands to relinquish those lands to the federal government. New Jersey, along with Maryland, Delaware, and Rhode Island, did not have western land but many New Jerseyans, such as Livingston's future son-in-law, John Cleves Symmes, had invested heavily in land companies. The companies tried to establish their claims to western land by virtue of Indian treaties. Virginia, to secure the ratification of the Articles of Confederation, ceded part of its western land, but with the proviso that the claims of land companies be voided.

To protect the investments of its citizens, and to secure the western lands for the federal government as a potential source of income, the New Jersey Legislature on June 14, 1783, sent a protest to the Continental Congress objecting to Virginia's "partial" cession.<sup>4</sup> Virginia, after the war, began selling the disputed land, an act of defiance Congress was powerless to prevent.

Money derived from the sale of western lands was an essential source of income for the habitually straitened federal government. Under the Articles of Confederation, Congress could not raise money without the acquiescence of the individual states. In an attempt to deal with its insolvency, the Continental Congress, on Apr. 18, 1783, passed a resolution asking the states to give Congress the power to impose import duties for twenty-five years. The proceeds were to be used to pay the war debt owed to both foreign nations and to domestic creditors. To become effective, the measure, which also proposed long-range plans for taxation and the cession of western lands by the states, had to be approved by all thirteen states.

The problems that faced each of the thirteen states were severe and of long duration. Nevertheless peace brought the realization that the nation could turn some of its attention away from mere survival. As Livingston had predicted in a Mar. 20, 1782, letter to Joseph Willard, the coming of peace would also bring the "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."<sup>5</sup>

Livingston's prophecy was fulfilled as Americans quickly adapted to the new environment. In the Livingston family, Brockholst, who completed his legal training during the summer of 1783, planned to establish his law practice in New York City and made plans to take "rooms at Mr. Kettelas' in Wall-street. . . ."<sup>6</sup> The lord of Livingston Manor, Robert, unable to travel during the war years because of his preoccupation with his Loyalist tenants, made a leisurely visit to his brother's home in Elizabethtown. The governor, free at last from the threat of assassination, spent the summer of 1783 at home "with my family at Elizabethtown, which is the first time in seven years that I have had any place which I could properly call my *home*."<sup>7</sup> There, he indulged his interest in horticulture, science, and literature, and ordered from New York the favorite port wine he had done without during the war.

The end of the British presence in the United States came on Nov.

25, 1783, which saw “the final ouster of the late unwelcome & formidable Detainers”<sup>8</sup> from the United States. On that date, after British soldiers and Loyalist evacuees boarded waiting ships in the harbor, George Washington and George Clinton took possession of the city. Washington, who on June 8, 1783, announced his intention to resign his commission with the conclusion of hostilities, made his farewell speech to his officers in Fraunces Tavern. The general then began an unhurried trip back to Mount Vernon. He stopped at Trenton on December 6 where he received a complimentary address from Governor Livingston and the New Jersey Legislature. Washington then continued south to Annapolis, where on December 20 he submitted his official resignation as commander in chief to the Continental Congress.

The government that Washington helped to secure was on shaky ground, lacking authority and the power to compel obedience. This fact was apparent to William Livingston, who on Nov. 18, 1783, noted that the states, in an attempt to compensate for the excessive power of the provincial executive, had with the new state and national constitutions “constituted the Executive branch too weak and inefficacious to operate with proper energy & vigour.” Events were to prove accurate Livingston’s prediction that “Experience . . . will soon convince us that our Governments want amending in this instance.”<sup>9</sup>

1. The Committee of Trenton to WL, [ Apr. 19, 1783].
2. WL to Sir Guy Carleton, Aug. 26, 1783.
3. Elias Boudinot to WL, June 23, 1783.
4. Remonstrance of the New Jersey Legislature to the Continental Congress, June 14, 1783.
5. WL to Joseph Willard, Mar. 20, 1782, 4:387–88.
6. Henry Brockholst Livingston to WL, Nov. 11, 1783.
7. WL to William L. Hooper, Nov. 10, 1783.
8. WL to George Clinton, Nov. 28, 1783.
9. WL to Baron van der Capellen, Nov. 18, 1783.

## From the Committee of Trenton

[Trenton, April 19, 1783]

Saturday last His Excellency the Governor of the state, accompanied by the Hon. the Vice-President,<sup>1</sup> and a number of the gentlemen of this town, [ . . . ], on his way to his seat near Elizabeth-Town: Previous to his departure the inhabitants waited on His Excellency, and by their committee appointed for that purpose preferred to him the following address:

May it please your Excellency,

THE inhabitants of Trenton and the vicinity, animated with the most sincere joy, beg leave to congratulate your Excellency on the full establishment of the Independence of America, and the accomplishment of a glorious Peace.<sup>2</sup> Our acknowledgements to those decided and persevering patriots who have, by their exertions and their sufferings, been instrumental, under Providence, in procuring these blessings, are, we assure your Excellency, no less sincere than our joy; and we should consider ourselves as wanting in a proper expression of them, if we omitted this occasion of manifesting our high respect for your character and virtues as a distinguished patriot, and upright, zealous magistrate. We recollect, with pleasure and veneration, that when the helm of state was committed to your hands, at an early period of the revolution, you accepted, with firmness, the perilous station;<sup>3</sup> and when the storm increased and raged with the greatest violence, we have seen you persevering in the face of every danger and discouragement, till we have happily arrived in the haven of Peace, Liberty and Independence. We cannot omit our thanks for the affability and attentions we have experienced from your Excellency during your residence in this place, which have called forth our unfeigned esteem for your private and social vir-

tues; and our sincere regret at your departure would be still greater, did we not reflect that it restores you to that domestick felicity which you have been so long obliged to sacrifice to the publick welfare.<sup>4</sup> With these sentiments of gratitude and affection, fitting, we trust, for freemen to express, and for the first magistrate of a free people to hear, we wish a long continuance of domestick and personal happiness to your Excellency, the warm attachment of a generous and grateful people, “the testimony of a good conscience,” and the favours of indulgent Heaven. In behalf of the inhabitants,

ELIHU SPENCER  
 ISAAC SMITH  
 JOHN COX  
 SAM W. STOCKTON  
 WM. C. HOUSTON

*N. J. Gazette*, Apr. 23, 1783.

1. John Cox.
2. See Proclamation, Apr. 14, 1783, 4:516–17.
3. WL was first elected governor of New Jersey on Aug. 31, 1776. See Joint Meeting of that date, 1:132–33.
4. WL had last visited his home in Elizabethtown in January 1783. See Chronology, 4: xxiii–xxviii.

## To the Committee of Trenton

[April 23, 1783]

GENTLEMEN,

you do me great honour by your very polite and friendly address, for which I return you my most hearty thanks.

I have never been fond of parade, nor courted applause; but when men of sense; when true patriots; when those who have distinguished themselves in our late arduous conflict, approve of the publick conduct of men of eminent stations, such applause cannot fail of imparting zeal and heart-felt satisfaction. It produces this effect in the breast of every man of sensibility, because (where flattery is not to be presumed, and republicans should scorn to flatter) it ought to be regarded as an additional testimony to that of his own consciousness of the rectitude of his

intentions, whatever errors he may, through human frailty, or the singular difficulty of the times, have involuntarily committed.

I most sincerely join you, gentlemen, with heart and with voice, in your exultations on the full establishment of the Independence of America, and the accomplishment of a glorious peace. I join you with heart and with voice in my acknowledgments to those decided and persevering patriots who have, by their exertions and their sufferings, been instrumental, under Providence, in procuring those blessings. That you are pleased to rank me amongst such illustrious characters, deserves my warmest gratitude; and the share I have had in the glorious cause, small as it is in comparison of the exertions of thousands of others, I shall ever consider as the most useful, the most important, and the best employed part of my life; and enjoy, I hope, the contemplation of it even in the very solemn hour of death.

The favourable sentiments, gentlemen, which you are pleased to entertain of my affability and attentions, at the same time that they do me great honour, very properly remind me and every other magistrate appointed by a free people, of our duty, and direct our eyes to that grand object of which no man in publick office ought ever to lose sight, "that for the service of the people, and to promote the happiness of society, he is appointed by the people to the office he sustains."

The social pleasures I have enjoyed in the company of the inhabitants of Trenton and the vicinity, when business had admitted of leisure for recreation, have, in a great measure, compensated for the deprivation of that domestick happiness to which the singular cruelty of the late war, on the part of the enemy, has so long obliged me to be a stranger.<sup>1</sup> Do me the justice, gentlemen, to be persuaded, that but for the particular situation I am in, I should take my leave of those inhabitants with still greater regret than I do.

Your wishes for my happiness to so extensive a degree as to comprize the consummation of all felicity, claim my warmest thanks. I am, gentlemen, Your most humble servant,

WIL: LIVINGSTON

*N. J. Gazette*, Apr. 23, 1783.

1. WL had been only rarely home since 1776. A target for the British and Loyalists, he spent most of his time on the move in the towns and villages of the state.

## To Sir Guy Carleton

Brunswick 25th April 1783

Sir,

I was just now honored with your Excellency's Letter of the 22nd Instant<sup>1</sup> inclosing your Order to Mr. Smith for the delivery of the Records & Papers applied for by the President of the Council of Proprietors.<sup>2</sup> I acknowledge myself much obliged to your Excellency for your particular attention to that application, & your so speedily notifying to me the Success it has met with.<sup>3</sup>

Your Excellency's politeness in expressing your Concern lest any Inconvenience may have ensued from some little unintentional delay in issuing the Order, claims my further acknowledgment. I am confident, Sir, that not the least Inconvenience has ensued; and when the Council of Proprietors take into Consideration the multiplicity of business in which you are involved, they will have the same due Sense of your Attention on this Occasion, as has, Your Excellency's most Obedient & most Humble Servant

WIL: LIVINGSTON

LS, NN.

1. Refer to Sir Guy Carleton to WL, Apr. 22, 1783 (NN).
2. For a previous attempt by the East New Jersey Proprietors to recover the records taken to New York in 1776 by registrar and treasurer John Smyth, see WL to Carleton, Feb. 27, 1783, 4:512–13. Carleton initially refused to order the return of these records. See Carleton to WL, Mar. 8, 1783, 4:513–14.
3. Refer to Sir Guy Carleton to WL, Apr. 22, 1783 (NN), in which Carleton informed WL that he had ordered the records returned to the East Jersey Proprietors.

## From Robert Digby

New York 30th April 1783

Sir

I have received a Memorial<sup>1</sup> from a Mr. William Roach confined in Irons in Burlington Goal, and by an extract of a Letter from Your Excellency to Mr. Turner the Naval Commissary of Prisoners,<sup>2</sup> I under-

stand it is for having robb'd the House of Mrs. Brown of Bedding etc. Surely Sir, you cannot intend to try the Captain of a Privateer for his Life for Plundering in time of War. His Commission instructs him to take, burn or destroy.<sup>3</sup> I have released many, acting (as I am informed) under Your Excellency's Commission who were equally liable to be tried for Plundering on Long Island. I disapprove exceedingly of that kind of War and would discourage it as much as possible, and should probably have kept those Plunderers that were in my possession as long as the War had lasted, if they could not have been exchanged. But the moment the War ceased, I thought myself no longer at liberty in Justice to detain them. And I flatter myself when you consider that Mr. Roach was a Prisoner of War, that you will give orders for his relief.<sup>4</sup> I am, Your Excellency's Very Obedient Servant

RBT: DIGBY

ALS, MHi.

1. Memorial not found.
2. George Turner. Letter not found.
3. For previous correspondence relating to British raids see WL to Sir Guy Carleton, Aug. 10, 1782, 4:448-51.
4. The British believed that Loyalists who were captured while engaged in paramilitary operations should be treated as prisoners of war, but WL regarded them as traitors subject to prosecution under civil law. See Carleton to WL, July 21, 1782, and WL to Carleton, Aug. 10, 1782, 4:445-46, 448-51.

### To [Isaac] Plume

May 2/3, 1783

Sir

Being in very great want [ . . . ] & obliged to make up a sum [ . . . ] I wish you could discharge at least part of your bond.<sup>1</sup> I know money is scarce & I would not wish to put you to any Inconvenience, but being [ . . . ] to make up a considerable sum, I hope you will use every exertion in your power to supply us with as much of the principal & Interest as you can;<sup>2</sup> & if you cannot conveniently pay more than forty or fifty pounds, I would endeavour to make a shift with that, provided I can have it in a week from this day. I hope you will not disappoint me if you can possibly collect. I am

ADf, MHi.

1. Plume's bond, or interest-bearing certificate, was for a loan of £140 taken out in 1773. Plume repaid WL £39 4s on July 2, 1784. Refer to "Schedule of Bonds Debts & etc., Belonging to the Estate of Governor Livingston, Deceased" (MHi).

2. For WL's most recent reference to his financial distress see WL to Susannah French Livingston, [1783], 4:504–5.

## To Peter W. Yates

Elizabeth Town 2nd May 1783

Sir,

I have received your Letters of the 19th & 22nd of April.<sup>1</sup> Your account of my Son's passing his Examination with a great deal of credit, gives me inexpressible pleasure.<sup>2</sup> I am extremely obliged to you for the pains you have taken in his Instruction, to which his uncommon Progress on his Studies is doubtless as much to be ascribed, as to his own indefatigable Industry. Depend upon, Sir, that I shall ever retain a grateful Sense of your kindness in this Instance, which is the more important to me at this critical time when my public engagements afford me so little time to superintend the Education of my Children.<sup>3</sup>

I entirely concur with you in Sentiment concerning the Propriety of "his returning to you again to pursue his Studies for at least another year to reduce his theoretic knowledge of the law to practice." Certain I am, that however well acquainted a Student appears to be, and really believes himself to be with the practice on examination, or in his own Contemplation, yet when he comes actually to practice, he will find himself embarrassed with a thousand though seemingly unimportant, yet really necessary particulars, that had escaped him in his Studies.

I am greatly obliged to you for the barrel of Pease, and that with the Potatoes & Cheese. The former in particular is a most acceptable present, as no such thing is to be purchased amongst us, and all my family are as fond of them, as tho' they had all been born in the place of their father's nativity.<sup>4</sup>

The Albany Gloucester,<sup>5</sup> when I first met with it in that City, I thought altogether equal to that made in England; and a good kind of Potatoes for seed is the more agreeable, as by the very extraordinary drought the last year, that root is rendered incredibly scarce with us. I am Sir your most humble Servant

WIL: LIVINGSTON

LS, NHi.

1. Letters not found.
2. Henry Brockholst Livingston was studying law under Peter Yates. See Henry Brockholst Livingston to WL, Nov. 28, 1782, 4:490–91.
3. For WL on the value of education see his letter to Abraham Ten Broeck, Dec. 17, 1781, 4:352.
4. Throughout the preindustrial era, potatoes and cheese were staples of the New York diet, but peas were used throughout the United States. WL's wife, Susannah French Livingston, had written to Brockholst requesting a shipment of peas. Refer to Henry Brockholst Livingston to his sister Susannah Livingston, Feb. 1, 1783 (MHi).
5. A cheese patterned after the English Gloucester, which enjoyed wide popularity during the eighteenth century. During this period the cheeses of the Upper Hudson Valley were highly regarded in America.

### To Sir Guy Carleton

Elizabeth Town 12th May 1783

Sir

Upon the application of Mr. Camp for my aid in procuring the Books & Papers mentioned in his Letter<sup>1</sup> (which I take the Liberty to include) I beg leave to recommend his case to your Excellency as comprehended in one of the Articles of the Treaty<sup>2</sup> between Great Britain & America, & have the honour to be Sir Your Excellency's most humble & very obedient Servant.

WIL: LIVINGSTON

ALS, NN.

1. Refer to Caleb Camp to WL, May 10, 1783 (NN), in which Camp outlines a dispute with Newark Loyalist Isaac Longworth, who had materials belonging to the trustees of the Newark Ferry. He refused to surrender them without an order from WL and a "proper Receipt." On behalf of the trustees, Camp requested that WL write to Carleton on this matter.
2. Article 7 of the Preliminary Articles of Peace required the British to return to the Americans, "all Archives, Records, Deeds and Papers" confiscated during the war (Morris, *Unpublished Papers of John Jay*, 2:435).

### To Sir Guy Carleton

Burlington 17 May 1783

Sir

I have this moment been honoured with your Excellency's Letter of the 14th instant<sup>1</sup> inclosing a Copy of Mr. Bayard's Memorial to your

Excellency of the 13th May,<sup>2</sup> & a Copy of an order signed *Cornelius Herring Agt. Bergen County.*<sup>3</sup> I am an utter stranger Sir to the facts set forth in the Memorial respecting the Proceedings complained of. But wish your Excellency to be advised that proper attention will be paid to your Excellency's application on the Subject; & that this state has not the remotest desire to countenance any proceedings that shall appear to be *contrary to the Articles of Agreement made between Great Britain & America & derogatory to the honor of both Governments.* I am Sir your Excellency's most obedient & most humble Servant

WIL: LIVINGSTON

ALS, NN.

1. Refer to Sir Guy Carleton to WL, May 14, 1783 (NN).

2. Refer to Memorial of William Bayard to Guy Carleton, May 13, 1783, *British Headquarters Papers*, #7674; and Bayard to Sir George Beckwith, May 9, 1783, *British Headquarters Papers* #7647 (NN), for Bayard's attempts to avoid seizure of his estate. Bayard, a prominent Loyalist, had extensive land holdings in New Jersey, including an estate at Hoebuck (present day Hoboken). On May 9, 1783, Bayard's tenant at Hoebuck, Daniel Smith, received a confiscation notice from the state of New Jersey. Bayard also was led to understand that the state intended "forcibly to take Possession of" his estate.

Bayard addressed a memorial to Carleton on May 13, 1783, in which he denied ever having been attainted. He further argued that his lands, occupied for most of the war by British troops, had never been sold or seized up to this point. Since the preliminary peace treaty forbade further confiscations, Bayard claimed the seizure to be illegal, and requested Carleton's intercession.

3. On Dec. 20, 1781, the New Jersey Assembly appointed one agent for confiscated estates for each county. In 1783 Cornelius Haring was the agent for Bergen County (*Acts* [Sept. 21, 1781–Oct. 6, 1781], 25; *Royal Gazette*, Feb. 5, 1783). Bayard charged Herring, his former ferryman, with trying to acquire the estate for himself. Refer to William Bayard to Sir George Beckwith, May 9, 1783, *British Headquarters Papers* #7647 (NN).

## To The Assembly

Burlington, May 19, 1783

GENTLEMEN,

PROVIDENCE having been pleased to terminate the late War in a Manner so honourable and advantageous to *America*, I most heartily congratulate you on the auspicious Event; but let us not flatter ourselves that because the War is over, our Difficulties are at an End. The Advantages to be expected from the Establishment of our Independence, will greatly depend upon our publick Measures, and a Conduct suitable to

so important a Blessing. Perhaps at no particular Moment during our whole Conflict with *Great-Britain* has there been a greater Necessity than at the present Juncture of Unanimity, Vigilance and Exertion. The Glory we have acquired in the War will be resounded through the Universe. God forbid that we should ever tarnish its Lustre by an unworthy Conduct in Times of Peace. We have established our Character as a brave People, and exhibited to the World the most incontestible Proofs that we are determined to sacrifice both Life and fortune in Defence of our Liberties. Heaven has crowned our victorious and heroic Struggles with the most signal Success; and our military Exploits have astounded the World. Let us now shew ourselves worthy of the inestimable Blessings of Freedom by an inflexible Attachment to publick Faith and national Honour. Let us establish our Character as a Sovereign State on the only durable Basis of impartial and universal Justice; for whatever plausible Sophistry the artful may contrive, or the avaricious be ready from self-interested Motives to adopt, we may depend upon it, that the Observation of the wise Man will, through all Ages, be found an uncontrovertible Truth, that *Righteousness exalteth a Nation, but that Sin* (of which Injustice is one of the most aggravated) *is the Reproach of any People.*

To give proper Encouragement to the Commerce of this State, and to prevent as far as possible our Neighbours from reaping those Profits on our Consumption of foreign Manufactures which might be secured to our own Citizens, is doubtless an Object that merits the mature Deliberation of the Legislature. I lay before the Honourable House a Number of publick Letters and Papers, described in the List herewith transmitted and marked from No. 1 to 41,<sup>1</sup> many of which, I doubt not, will engage your serious Attention.

WIL: LIVINGSTON

ALS, Nj.

1. The principal issues addressed by these transmittals concerned finances, foreign loans, treaty ratification, congressional resolutions on Vermont land, and the suspension of enlistments in the Continental army. Refer to *General Assembly*, May 15–June 19, 1783, and Oct. 28–Dec. 24, 1783.

## From John Jay

Paris 21 May 1783

Dear Sir

It was not until this morning that your obliging Letter of the 8th January last reached me.<sup>1</sup> I thank you for it sincerely, & regret that its arriving so late in the Season will render it useless to send you an assortment of Seeds for this Spring. You may expect them in the Fall & they shall be fresh & of this Years Growth.

Your accounts of my Boy are flattering, & so is your affectionate attention to him. Mr. Benson<sup>2</sup> rightly understood the Reason of my desiring that he might be carried to Fishkill.<sup>3</sup> When that Reason ceased<sup>4</sup> I preferred his returning to and remaining with his Grandmama, & wrote so to my Brother, but the letter it seems did not reach him in time.<sup>5</sup> When Peter returns to you, which will probably be this Month, be pleased to take the Direction of him.

Your little grand Daughter,<sup>6</sup> as well as her Parents, has had her Share of Trouble and Sickness. She is now well and thrives finely. My Health has been Injured by the Heat of Spain; and since my arrival here, I have not had Leisure to attend properly to it. Mrs. Jay has lost some of her Complaints by our Change of Situation, tho' she is not yet strong and hearty.<sup>7</sup>

As to Politics, I can add little to what you must have already heard on that Subject, especially as it would not be expedient to write freely unless in Cypher. I hope our Countrymen will not delay to secure and increase the Blessings of Peace by wise Regulations and Establishments. The Boundaries of the different States should be immediately settled, and every Cause of Dissention provided against as far as possible. Our public Credit requires appreciation, & the sooner that work is begun the better—hard things are said of us on that Head. Mr. Morris's Letters to Congress have occasioned much Speculation. I wish he may not have resigned.<sup>8</sup>

I cannot conclude this Letter without congratulating you most sincerely on the Termination of your long Exile from Liberty Hall,<sup>9</sup> and on the happy Period put by the Peace, to the Snares and Dangers which beset you during the war. Indeed every american must enjoy the present

moment. I confess I do in a great degree and with great Thankfulness, but as our Happiness is erected on the Tombs, and Distress, of so many of our virtuous Countrymen, there is a Solemnity in its aspect which will not permit me to say with Horace “nunc est bibendum, nunc Pide libero pulsanda Tellus”<sup>10</sup>

May God continue to bless and preserve you. I am Dear Sir your affectionate and humble Servant.

JOHN JAY

ALS, MHi.

1. See WL to John Jay, Jan. 8, 1783, 4:507–8.

2. Egbert Benson.

3. John Jay had preferred that Peter live with the family of Henry (Harry) Livingston, Jr., at Fishkill, N.Y., rather than with either his maternal or paternal grandparents (Morris, *Unpublished Papers of John Jay*, 2:203–6).

4. Jay is referring to the Apr. 17, 1782 death of his father Peter (Morris, *Unpublished Papers of John Jay*, 2:212–13).

5. Refer to John Jay to Frederick Jay, Oct. 3, 1782 (Morris, *Unpublished Papers of John Jay*, 2:470–71).

6. Maria Jay. See Sarah Livingston Jay to WL, Oct. 14, 1782, 4:476–77.

7. For the most recent reference to Mrs. Jay’s health see Sarah Jay to WL, Dec. 14, 1782, 4:499–501.

8. Frustrated by the failure of Congress to resolve the national debt, Superintendent of Finance Robert Morris submitted a letter of resignation to the president of Congress, Elias Boudinot, on Jan. 24, 1783. Refer to Morris to Boudinot, Jan. 24, 1783, in Wharton, *Revolutionary Diplomatic Correspondence*, 6:228–29. Morris subsequently met with several congressional committees that requested he reconsider his decision. After Congress resolved on May 2 to raise funds to pay the Continental troops, Morris agreed on May 3 to continue in office until the army had been paid. Refer to Wharton, *Revolutionary Diplomatic Correspondence*, 6:399–403, 405–6.

9. After a three-year absence, WL returned to Liberty Hall from Trenton on Apr. 23, 1783, although he continued to meet the legislature usually in Trenton. See WL to the Committee of Trenton, Apr. 23, 1783.

10. nunc est bibendum, nunc Pide libero pulsanda Tellus: Now is the time to drain the flowing bowl, now with unfettered foot to beat the ground with dancing (Horace, *Odes* 1.37.1–2).

To John Jay

Burlington 21 May 1783

Dear Sir

I embrace the opportunity of Doctor Wearings going to France (a young Gentleman belonging to South Carolina & strongly recommended to me by President Boudinot) to send you a line,<sup>1</sup> which I hope

you will never receive provided the non reception of it is owing to your having left Paris for America, when it arrives in France.

The Treaty is universally applauded; & the American Commissioners who were concerned in making it, have rendered themselves very popular by it.<sup>2</sup> The Whigs in this State are however extremely opposed to admitting the refugees amongst us, & I am apprehensive of some difficulty on that account.<sup>3</sup> There is still a greater difficulty that we have to struggle with. Too many of the strong professional Whigs now openly show what I have long suspected them of that they love their money better than their liberty by their scandalous aversion to pay the necessary taxes.<sup>4</sup> If this reaches you in Europe, I hope I shall hear from you as soon as possible. I am Sir your most humble servant

WIL: LIVINGSTON

ALS, NNC.

1. Probably Dr. Richard Waring of Charleston, S.C. Apparently Dr. Waring had not reached France by July 19 when Jay wrote to WL: "On the 1st Instant I had the Pleasure of receiving your Favor of the 21 May last, but have neither seen nor heard any Thing of Doctor Wearing whom you mention as the Bearer of it." Refer to John Jay to WL, July 19, 1783 (Morris, *Unpublished Papers of John Jay*, 2:564).

2. The Treaty of Peace was first published in the *N.J. Gazette* on Apr. 16, 1783. See WL Proclamation, Apr. 14, 1783, 4:516–19.

3. Beginning in May 1783, the New Jersey Legislature received numerous petitions urging that refugee Loyalists not be allowed to return to their homes. Refer to Memorial of Freeholders of Bergen, May 3, 1783 (Nj), and to Petition of Inhabitants of Essex, May 3, 1783 (Nj). This hostility toward Loyalists would continue for many years.

4. The failure of the New Jersey Legislature to produce a desired tax law to resolve the redemption issue and congressional requisition for funds aroused the public creditors. In May 1783 the legislature met to discuss these issues, but no action had been taken at the time WL's letter to Jay was written (*General Assembly*, May 15, 1783–June 19, 1783).

To Sarah Jay

Burlington 21. May 1783

My dear Child

Amongst the numerous Blessings that I expect from the Peace, I consider that of your speedier return on that account to your Parents as a very considerable one to me. Mr. Fady Jay<sup>1</sup> took my dear little grandson with him to Poughkeepsie last January but there being no school master there, at which I was so selfish as to rejoice because it produced his re-

turn to us, he brought him back in the Spring.<sup>2</sup> He now goes to a very good school in Elizabethtown & learns very fast.<sup>3</sup>

As Brockholst had the misfortune to lose by his capture all the garden seeds he had collected for me, I shall be obliged to you for bringing me a few of the most admired in France. I had only been settled a fortnight at home since the peace when I was called here to meet our Legislature<sup>4</sup> but hope after their adjournment to be able to be with my family as a real settler.

LBC, MHi.

1. John Jay's brother, Frederick.

2. See WL to Sarah Livingston Jay, Jan. 8, 1783, 4:505–7. Peter returned to Elizabethtown in April 1783. Refer to Egbert Benson to John Jay, Apr. 25, 1783 (Morris, *Unpublished Papers of John Jay* 2:604–5).

3. Possibly the Classical School or the North End School, both in Elizabethtown.

4. The legislature met at Burlington from May 15 to June 19 (*General Assembly*, May 15–June 19, 1783).

## To Frederick Smyth

Burlington 21st May 1783

Sir

I have received your letter of the 15th instant.<sup>1</sup> I can assure you Sir, that for my own part, I have no objection against your passing thro' this State on your way to Philadelphia; nor to your spending some days in it.<sup>2</sup> But our Act of Assembly respecting Passports to be granted by the Governor, being entirely relative to [ . . . ] for going into & coming out of the *Enemy's* lines, must now, I think, be obsolete, as having had its effect.<sup>3</sup> I have, accordingly given none, since the proclamation of the peace. Such a practice at present would be attended with these inconveniences. It would carry the appearance of an official Act, while it was in reality unauthoritative; & proving no protection to the person, would at the same time deceive him; & degrade government. Those who can come amongst us out of the British lines agreeably to the Treaty, or not by prior misdemeanors obnoxious to the punishment of our Laws, must be presumed to want no Passports to protect them; & to those who cannot, such passports would prove no protection.

From your Character Sir, I do not apprehend that you would be insulted; But at the same time so exasperated are some of our people, es-

pecially those along our lines, & have their passions so inflamed by the wanton cruelties of the Refugees, that I cannot answer for their conduct.\* Probably the lapse of a few weeks may enable me to be more explicite. I am Sir your most obedient & very humble servant

WIL: LIVINGSTON

ALS, PPAmp.

1. Letter not found.
2. Smyth, the last royal chief justice of New Jersey, had spent the war years in New York City.
3. For reference to the assembly act passed July 10, 1779, "to prevent persons from passing through this State without proper passports," see Proclamation, [Oct. 9, 1781], 4:309–12.
4. Animosity against Loyalists ran high in New Jersey for many years after the war. For another postwar expression of the festering hostility that would inform state politics throughout the Confederation, see WL to John Jay, May 21, 1783.

### From Robert Morris

Office of Finance June 5th 1783

Sir,

Congress having directed a very Considerable part of the Army to be sent home on Furlough I am pressed exceedingly to make a Payment of three Months Wages,<sup>1</sup> and I am very desirous to accomplish it but the want of Money compells me to an Anticipation on the Taxes by making this Payment in Notes, to render this Mode tolerably just or usefull the Notes must be punctually discharged when they fall due, and my dependence must be on the Money to be received of the several States, on the Requisitions for the last and present year.<sup>2</sup>

I hope the Urgency of the Case will produce the desired exertions and finally enable me to preserve the Credit and Honor of the Federal Government. I have the Honor to remain Your Excellency's most obedient & very humble Servant

ROBT. MORRIS

LS, Nj.

1. For previous discussion of Congress's failure to pay the army, see John Jay to WL, May 21, 1783.
2. Congress was unwilling to disband the soldiers, most of whom were unpaid, as long as British troops remained in New York. Instead, they authorized Washington on

May 26, 1783, to furlough most of the troops with the understanding that they would be discharged "as soon as the definitive treaty of peace is concluded" (*JCC*, 24:253, 284, 358–61, 364–65). In April 1783 Superintendent of Finance Robert Morris implemented a plan to pay soldiers in government notes redeemable six months after the date of issue. The notes were to be financed through taxation imposed by the states and by foreign loans. For additional information on this issue refer to George Washington to Theodorick Bland, Apr. 4, 1783, DLC:GW; *JCC*, 23:577–79, 24:325–26, 422n, 447–51; and Bigelow; *Works of Franklin*, 8:234–36, 263–64, 283. See also John Jay to WL, May 21, 1783, and n. 7.

## From Benjamin Clarke and Stacy Potts

June 7, 1783

To the Governor and Council now sitting at Burlington.

The Representation of a Committee of the People called Quakers, Appointed to take notice and Care of such of their Members who may suffer by Imprisonment or otherwise, in faithfully Supporting our Christian Testimony against War.<sup>1</sup>

Respectfully Sheweth,

That Samuel Worth junior<sup>2</sup> being fined for nonperformance of Military Services, and having no visible Property whereon to Levy, was taken and delivered to the Custody of the Sheriff of the County of Middlesex, and has been kept Pris'ner at a considerable distance from his Home upwards of eleven Months past, as by a Cobby of his Mitimus herewith sent may Appear;<sup>3</sup> And as no Relief is provided for such cases, he must continue in this unhappy situation, or violate that invariable Principle which we have steadily Maintained ever since we were gathered to be a People.

Wherefore we hope, the Governor and Council will take such measures for his Relief, either in a Judicial or Legislative capacity, as the particular difficulties of his Case may appear to the Governor & Council to require.<sup>4</sup>

Signed on behalf of the said Committee, the Seventh Day of the Sixth Month 1783 by

BENJN CLARKE  
STACY POTTS

ALS, NjP.

1. For the problem of raising troops among Quakers see Thomas Reynolds to WL, Sept. 1, 1780, 4:55–56.

2. Samuel Worth, Jr., lived with his parents on their farm at Stony Brook near Princeton.

3. Mittimus, or warrant for Worth's arrest not found.

4. The petition was laid before the Privy Council on June 17, 1783, at which time Worth was pardoned (*NJA* [Privy Council] 244).

## From Elias Boudinot

Philadelphia 8th June 1783

Sir,

The Delegates of New-Jersey having been instructed by a former Legislature respecting the Western Lands,<sup>1</sup> I am desired by my Colleagues to transmit to your Excellency the enclosed Report of a Committee on the Virginia Cession, (which being the order of the day will soon be taken into consideration by Congress) that the same may be laid before the Legislature for their consideration, as they will now be informed of the extent of that cession and be able to judge what line of conduct it may be necessary for their Delegates to take:<sup>2</sup> it being a matter of too much importance for them to act upon without the advice of their Constituents, the former instructions not being explicit on many parts of the subject under consideration. As this business is now pushed with earnestness and a speedy decision judged necessary, it is hoped the Legislature will not delay any farther instructions they may think proper to give.

The Legislature are in possession of the former Report on this subject made in Nov. 1781, and which is printed in the Journals of Congress of May 1782.<sup>3</sup>

The States of New-York and Maryland having made propositions to Congress for their fixing their permanent residence in one of those States, I have ordered copies of those propositions to be made out, and shall as soon as possible transmit them to your Excellency for the information of the Legislature, particularly as a day is appointed for the determination; and if our State should incline to invite Congress into New-Jersey, I am rather inclined to think it would meet with the most general approbation.<sup>4</sup> I have the honor to be, with the highest respect and esteem, Your Excellency's Most obedient Very humble Servant,

ELIAS BOUDINOT

ALS, Nj.

1. See Representation of the New Jersey Legislature to the Continental Congress, [Jan. 3, 1781], 4:116–18.

2. To ensure the ratification of the Articles of Confederation, Virginia ceded to Congress its claims to land northwest of the Ohio River. The state retained its claims to land between the Appalachian Mountains and the Ohio River and declared void the claims of the Indiana, Vandalia, Illinois, and Wabash land companies in that area. On June 4, 1783, a congressional committee was ordered to consider the Virginia cession without ruling on the issue of that state's title to the disputed land. New Jersey, which assumed the role of protector to the land companies that had invested in this area, strongly protested the action (*JCC*, 22:223; 24:381). See also Samuel Huntington to WL, Mar. 2, 1781, 4:154.

3. Refer to *JCC*, 22:223.

4. The legislature on June 19, 1783, sent to Congress a resolution suggesting New Jersey as a permanent site for Congress. This offer and those of New York and Maryland were rejected by Congress on Oct. 6, 1783 (*JCC*, 25:422n, 650, 651, 652–53).

### From George Washington

*Newburgh, N.Y., June 8, 1783.* George Washington announces his intention to resign his commission<sup>1</sup> and offers some thoughts as to the present and future condition of the United States. Washington sees the United States at a crossroads, with the opportunity to create a great republic if the proper policies are adopted, but in danger of disintegrating if local and individual concerns take precedence over the national well-being. Washington stresses that the establishment of a successful republic requires a strong union, dedication to justice, a standing peacetime army,<sup>2</sup> and unity and mutual respect among all citizens.

Df, DLC:GW.

1. Copies of this letter were sent to all thirteen states. Refer to Fitzpatrick, *Writings of Washington*, 26:483n.

2. For the last reference by GW on the need for a standing army see George Washington to WL, Oct. 18, 1780, 4:72. Refer also to Fitzpatrick, *Writings of Washington*, 20:204.

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

June 14, 1783

The Representation and Remonstrance of the Legislative Council and General Assembly of the State of New Jersey sheweth That the Legislature of this State is informed, that the important Subject of the West-

ern or what is commonly called the Crown Lands, is soon to be reconsidered and finally determined by Congress, especially as far as relates to the cession made by the Legislature of the State of Virginia in January 1781 of a part of the Western Country or vacant territory.<sup>1</sup>

The Legislature cannot but express their surprise on hearing that the consideration of the Subject is resumed by Congress so speedily after its last discussion, as [ . . . ] by an Act of Congress of the eighteenth of April last past which is contained in the following words "That as a further mean, as well as hastening the extinguishment of the debt as establishing the harmony of the United States, It be recommended to the States which have passed no Acts towards complying with the Resolutions of Congress of the sixth of September and tenth of October 1780, relative to the Cession of the territorial Claims, to make the liberal Cessions therein recommended and to the States which may have passed Acts complying with the said Resolutions in part only to revise and compleat such compliance"<sup>2</sup> which said Act has been Officially laid before us during the present sitting, and appears designed by Congress to be transmitted to every State in the Union, not only to the Legislature thereof, but to the people at large. The Legislature of this State must be of Opinion, that the latter part of the said Recommendation of Congress was expressly applicable to the Act of the Legislature of the Commonwealth of Virginia, as the Cession thereby made, has heretofore been deemed by Congress a [partial] one, and by this State partial, unjust and illiberal.<sup>3</sup>

The Legislature to avoid unnecessary repetition, beg leave in the most earnest manner, to call the attention of Congress to the Records in their possession, of the proceedings of the Legislature of this State with regard to the present Subject, beginning with the Representation of the 16th of June 1778,<sup>4</sup> and at different periods since in which are fully contained the just and uncontrovertible Claims of this State to its full proportion of all vacant Territory.

It is particularly disagreeable to have occasion to trouble Congress with so many applications on this head, but the importance of the Subject, the danger of so much property being unjustly wrested from us, together with its being our indispensable duty in justification and defence of the rights of the people we represent must be our Apology. We cannot be silent while viewing one State Aggrandizing herself by the unjust detention of that property which has been procured by the com-

mon Blood and Treasure of the whole, and which on every principle of reason and Justice is vested in Congress, for the use and general Benefit of the Union they represent.

They doubt not the disposition of Congress to redress every grievance that may be laid before them, and are of Opinion there can be no greater cause for complaint, nor more just reasons for redress, than in the present case.

They do therefore express their dissatisfaction with the Cession of Western Territory made by the State of Virginia in January 1781 as being far short of affording that Justice which is equally due to the United States at large, and request that Congress will not accept of the said Cessions, but that they will press upon the said State to make a more liberal surrender of that Territory of which they claim so boundless a proportion.<sup>5</sup>

The Legislature place the utmost confidence in the Wisdom and Justice of Congress and assure themselves that as far as it lays in the power of that August Body, the Union will be strictly maintained. Council Chamber June 14th. 1783. By Order of Council

WIL: LIVINGSTON  
EPHRAIM HARRIS

DS, DNA:PCC, 68.

1. See Elias Boudinot to WL, June 8, 1783.
2. Refer to *JCC*, 17:806, 18:915, and 24:256.
3. For the act of the Virginia Assembly passed Jan. 2, 1781, refer to Boyd, *Papers of Thomas Jefferson*, 4:386–91.
4. For the New Jersey representation refer to *JCC*, 11:648–51.
5. The congressional committee called to consider the cession met on June 20, 1783, but did not reach a decision.

From Elias Boudinot

Philadelphia  
June 23d. 1783

Dear Sir

It gives me great Concern to inform your Excellency of the detail of our affairs here that will be extremely mortifying to every friend to his Country on Thursday last we received Information that the Troops

Lancaster to the number of about 60 had mutinied and marched for this City.<sup>1</sup> Congress immediately by a Committee<sup>2</sup> applied to the Executive of this State to call out the Militia to stop their progress in order to prevent their Junction with the Troops in the Barracks, who were also uneasy on account of not receiving every thing they chose to ask. It soon appeared that the State of Politicks here, prevented the President of Council from shewing any spirit of decision on this alarming subject—and we received for answer that it was thought that the Militia would not turn out for this purpose. The Mutineers arrived on Friday morning and marched to the Barracks in decent order. On Friday hearing of no disturbance & that the Soldiers generally obeyed their Officers, Congress adjourned till Monday continuing the Committee to apply to the state for aid. On Saturday morning one of the Committee reported to me that the whole of the Troops (about 500 men) had got into a very ill Temper, and that he believed they had a design of attacking & plundering the bank during the following night. I summoned Congress to meet in half an hour about one oClock on Saturday the Masters had convened except one, sufficient to make a House when without the least previous Notice, we were surrounded by about 400 Men with fixed bayonets under the command of 6 or 7 Seargeants, having Cast of all their officers. The president and supreme Executive Council sitting in the same House. The Members present immediately determined not to proceed to any deliberations whatever if full Congress should attend, while they were thus menaced. The Rioters sent in to the President of the State, a very threatening and insulting letter, threatening to let in an enraged Soldiery on him & the Council, if an answer was not recieved in 20 minutes. Thus we continued till near 4 oClock. The Executive of the state made no effort to raise any force to repel them & no offers from the City (to their ever lasting reproach) worth noticeing were made to relieve either their Executive Authority or Congress from this humiliating and dishonorable situation. Congress not thinking it prudent to attempt to leave the House till the usual time of adjourning remained spectators of this Insult to the Dignity & Honor of the federal Government, having called on General St. Clair<sup>3</sup> & ordered him to take measures for ordering the Mutineers to the barracks. Congress then broke up & left the House & was suffered by the Rioters to pass unmolested. General St. Clair having persuaded them to return to their Barracks. Congress met in the Evening and Came to some proper resolution on the subject, among which, one was authorizing me in case the

Executive Council should not Draw out an efficient force for the protection of Congress to summon a meeting in New Jersey.<sup>4</sup> This force is refused us at least the Council do not choose to call it out, altho I think their City in great Danger. A large number of members of Congress have just met at my House to consider the propriety of leaving the City. One objection to it has been made, that as we have met with no protection from the Citizens of Philadelphia, how can we be assured that the Citizens of New Jersey will be more respectful to Congress, if an insult should be offered to them in that state, and it will be absolutely necessary that Congress (wherever they adjourn to) should be enabled to return and quell the mutiny to heal the wounded honor of the States. I propose if nothing more dignified shall be done on the part of Congress to adjourn them to Princeton as I doubt not of the fullest protection of my fellow Citizens of New Jersey. But by the advice of some Members have thought proper to write to your Excellency this detail and to request by return of the express that Congress may know your sentiments on the subject, and wish for my own part, that such orders may be issued to the Militia (especially the Troops of Horse) of somerset, Hunt-erdon etc. as may enable Congress to call on them immediately on their arrival in Jersey, as may appear absolutely necessary The Honor and dignity of the United states are at stake and the benefits to New Jersey will not be lessened.

In case we move, Congress have ordered me to inform your Excellency of the Movement, and doubt not but it will be agreeable to the Government.<sup>5</sup>

The Mutineers still continue in the Barracks in Possession of the arsenal & magazine; and nothing but force can bring them to obedience. There are no higher officers with them than sergeants. I forgot to inform your Excellency that many of the Mutineers have not been enlisted above 4 or 5 Months.<sup>6</sup> I have the honor to be, with great respect, Sir, your Excellency's most obedient very humble servant

ELIAS BOUDINOT

P.S. I have wrote this in so great a hurry & so many round me, that I must beg Your Excellency not to make it publick, or to alarm the People more than is necessary. I have wrote to General Washington.<sup>7</sup>

ALS, NHi.

1. For the most recent reference to unrest among New Jersey troops see WL to Elias Dayton, June 14, 1781, 4:222–23. For the January 1781 revolts of the Pennsylvania and

New Jersey lines see WL to John Butler, Jan. 7, 1781, and George Washington to WL, Jan. 23, 1781, both in 4:120–21, 128–29. James Madison noted that a “mutinous memorial from the Sergeants was recd and read” by the Continental Congress on June 13, 1783 (*JCC*, 25:970).

2. The committee consisted of Alexander Hamilton, Oliver Ellsworth, and Theodorick Bland (*JCC*, 24:412).

3. Arthur St. Clair.

4. Refer to *JCC*, 24:410.

5. The Continental Congress reconvened at Princeton on June 30, 1783 (*JCC*, 24:411).

6. The short-term enlistment of the mutineers was also noted by George Washington who commented that “these Pennsylvania Levies who have now mutinied, are Recruits and Soldiers of a day, who have not born the heat and burden of the War, and who can have in reality very few hardships to complain of. . . .” (Refer to Fitzpatrick, *Writings of Washington*, 27:33).

7. Refer to J. J. Boudinot, ed. *The Life, Public Services, Addresses, and Letters of Elias Boudinot*, 2 vols. (Cambridge, Mass., 1896) 1:332–34.

## To Elias Boudinot

Trenton 24th June 1783

Sir

I just this moment received your Excellency’s Letter of yesterday on my Journey to Elizabeth Town.<sup>1</sup> I am greatly mortified at the insult offered to Congress by part of the soldiery. If that august Body shall think proper to honour this State with their presence I make not the least doubt that the Citizens of New Jersey will chearfully turn out to repel any violence that may be attempted against them;<sup>2</sup> & as soon as I shall be informed of the movement of Congress to this state & that there is the least reason to apprehend that the mutineers intend to prosecute their riotous measures, I shall with the greatest alacrity give the necessary orders, & think myself not a little honoured by being personally engaged in defending the Representatives of the United States against every insult & indignity. I have the honour to be your Excellency’s most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. See Elias Boudinot to WL, June 23, 1783.

2. The Continental Congress convened at Princeton, N. J., on June 30, 1783. (*JCC*, 24:411).

## To Sir Guy Carleton

Princeton 26th June 1783

Sir

I have been honoured with your Excellencys Letters of the 20th and 22d Instant,<sup>1</sup> accompanied with the Copy of a Letter from Brigadier General Bruce to Brigadier General Birch of the 19th, and of the Letter to Your Excellency of the same date.<sup>2</sup> I am persuaded, Sir, that every proper Step has been taken by your Excellency for Apprehending Cornelius Hetfield,<sup>3</sup> and that had he not left the British Lines, before your Excellencys Receipt of my Letter, he would be secured According to my request; and Your Excellency may depend upon it, that in Similar cases, the like Diligence will not be wanting on the part of this Government. As it appears in some of the enclosures transmitted in your Excellency's Letter that Hetfield is sailed for Nova Scotia, I am not destitute of all hopes, that he may still be secured as a flagitious Criminal against the Law of this State, by perpetrating the robbery in question. I am Your Excellencys most humble & most obedient Servant

LBC, CAOOA.

1. Refer to Sir Guy Carleton to WL, June 20 and June 22, 1783 (NN).

2. Refer to A. Bruce to [Samuel] Birch and Birch to Carleton, June 19, 1783, *British Headquarters Papers* #10173 (NN).

3. On June 12, 1783, WL requested that Carleton order Loyalist Cornelius Hetfield (or Hatfield) to be seized and returned to New Jersey. Hetfield, who had frequently led wartime raids into New Jersey, was accused of a May 6, 1783, armed robbery against Joseph DeHart of Elizabethtown. Hetfield claimed that the accusations sprang from the Whigs' (and particularly WL's) bitterness over his wartime raids on the state. He cited as proof the month-long delay in issuing the arrest order. Carleton was informed on June 19 that Hetfield had left New York City. Refer to WL to Guy Carleton, June 12, 1783 (NN); Carleton to WL, June 20 and June 22, 1783 (NN); Petition of Cornelius Hetfield to Guy Carleton, August [n.d.], 1783, *British Headquarters Papers* #8807, Affidavit of Joseph DeHart, #10173, A. Bruce to [Samuel] Birch, June 19, 1783, and Birch to Carleton, June 19, 1783 (all in NN).

## To John Livingston

Elizabeth Town 30th June 1783

Dear Brother

The Bearer Dr. Beatty<sup>1</sup> a Member of the Legislative Council of this State having some business at New York has offered me his Service to buy me a hamper of portwine. As he professes to be no judge of that kind of wine & I want it of the best quality being prescribed as part of the regimen for one of my daughters who has long been in a low State of health,<sup>2</sup> I hope you will admit this apology for desiring the favour of you to pass judgment on the hamper the Doctor may purchase & then I can depend on its being good & genuine. As my republican pride will not Suffer me to go to New York to see any friends at the expense of being beholden to the English for such a permission I would give you an invitation to come here, but our people still continue so enraged against the loyalists, that although you do not come under that denomination [ . . . ] of those against whom their resentment is levelled yet as they do not always clearly distinguish & you being Brother to the Governor of this State they would probably charge me with partiality;<sup>3</sup> but I hope the time that will admit us to see each other without giving the least umbrage is not very distant

P.S. You will find Dr. Beatty very much of a gentleman

LBC, MHi. Sedgwick transcription.

1. Dr. John Beatty.

2. Catharine Livingston had been ill throughout the winter while residing with the Morrises in Philadelphia. She returned to Elizabethtown at the end of May, where she continued in poor health (Morris, *Unpublished Papers of John Jay*, 2:565, 570).

3. For WL's most recent reference to passes see WL to Frederick Smyth, May 21, 1783.

## From Robert Morris

July 11, 1783

Sir,

I do myself the honor to inclose to your Excellency a state of the public accounts,<sup>1</sup> balanced on the last day of June, 1783. A view of these accounts will render it unnecessary to make many observations.

On the states I am to rely for payment of the anticipations, amounting, as you will see, to more than a million. And you will observe that this great anticipation has been made for that service which all affect to have so much at heart—a payment to the American army.<sup>2</sup> If they had received no pay during the year 1783, I might have perhaps have been spared the necessity of this application, because it is probable that the taxes, even as they are now collected, might have absorbed such anticipations as I should then have been obliged to make.<sup>3</sup>

Much pains have been taken to inculcate the idea that we have funds in Europe; those funds which we had there are exhausted, and the general apprehension that no proper funds here will be provided has cut off all hopes from that quarter.<sup>4</sup>

The question has frequently and industriously been asked, what becomes of the monies which are paid in taxes? I have furnished the means of judging as to those which reach the public treasury, to every man employed in the administration of government in the several states, for my accounts have been regularly transmitted. And I would not have mentioned the insinuation had it not been for the purpose of observing that it is incumbent on all those who are desirous of forwarding a collection of taxes, to show a fair appropriation, and not suffer groundless clamors to disturb the public mind.<sup>5</sup> It has been said that there is no necessity of urging the collection of taxes now, because the notes given to the army are not payable in less than six months. This again, is an assertion, whose mischievous operation is levelled at the very vitals of our credit. One month of that time is already expired with respect to all those notes which have been already issued. They are not the only notes in circulation. Notes are not the only modes of anticipation, which have been adopted; and it is a serious fact that unless more rigor-

ous measures take place, the credit of all notes, and of everything else, must be destroyed. But this is not all. Supposing, a moment, that the notes given to our army were the only object whose credit was to be attended to. Can any reasonable man imagine that they could be of any use if the payment were to depend on taxes which are not to be collected until the notes were due? I have not been wanting on my part in pointing out from time to time the mischiefs which must ensue from neglect. The applications have met with inattention which personally I have disregarded, but which I could not but feel from the consequences involved in it. Again, in compliance with the duty I owe to the United States, I call for that aid to which they are entitled to. And on this occasion I take leave to observe that the moment is very fast approaching which is to determine whether America is entitled to the appellation of Just, or whether those who have constantly aspersed her character are to be believed. With perfect respect I have the honor to be, sir, your Excellency's most obedient and humble servant,

*Correspondence of the Executive*, 340–42.

1. Accounts not included.
  2. See Robert Morris to WL, June 5, 1783, n. 1.
  3. For previous reference to the difficulties of Continental Army officers and troops in securing pay see WL to Ephraim Harris, Feb. 16, 1783, 4:510–12.
  4. The United States drew bills of exchange against monies borrowed from France, Spain, and the Netherlands. In January 1783 Morris informed a congressional committee that the bills drawn against these loans exceeded the actual sums by 3,500,000 livres (*JCC*, 25:848; see Elias Boudinot to WL, Dec. 4, 1782, 4:494–95, and n. 2; Wharton, *Revolutionary Diplomatic Correspondence*, 6:207–10).
  5. Morris and many members of Congress disagreed vehemently over the question of taxes. The Articles of Confederation authorized Congress to raise revenues only through requisitions to individual states, but Morris believed that satisfying the nation's debts required a congressionally imposed federal tax. Morris was the agent behind the impost resolution introduced to Congress on Feb. 3, 1781. The resolution was defeated when Rhode Island refused to ratify it in November of the following year. Other Morris revenue proposals, including taxes on land, polls, and liquor, were also defeated (*JCC*, 23:643, 643n, 850, 860, 863–64; Ferguson, *Papers of Robert Morris*, 4:205, 213n).
- Intertwined with the tax question were charges that Morris exploited his position for personal aggrandisement. Particularly controversial at this time were Morris's orders to his tax collectors that his personal notes be awarded priority and be redeemed only in specie. Morris denied all accusations of wrongdoing (*JCC*, 25:919–20).

From Sarah Jay

Passy 18th July 1783

My dear Papa,

I had the pleasure of receiving your favor of the 8th of January some time in May, & that of the 21st of May the 2nd of July; & sincerely thank you for those instances of your remembrance.<sup>1</sup> You was very obliging my dear sir to be so minute in your account of my son, & I have reason to hope from the example as well as precepts of those who have been so kind as to watch over his education that you have not flatter'd me; tho' really but for that circumstance, I should have been a little apprehensive that the pleasing description had been dictated rather by the partiality than the judgment of his indulgent grand-father; if any thing could have encreas'd my desire to return to America, my wish to see the dear little fellow & to evince my gratitude to his friends would have been the motives. If you should think of any thing not to be easily procured in America, that would facilitate the prosecution of his studies, & will be so obliging as to acquaint me what it is, I'll endeavor to procure it here & bring it with me; or if there is any thing beside the garden-seeds, which you my dear sir, are desirous of having from Europe you cannot flatter me more than by letting me know what it is, that I may have the pleasure of being the bearer of it. Mr. Grand,<sup>2</sup> who has a well chosen collection of Fruits, Flowers & shrubs in his garden, has promised Mr. Jay that he will order his gardener to preserve seeds of the choicest Fruits etc. which he has, & we will not fail sending them out in time to be sown next spring: but don't promise yourself much from them, for really the fruits I have tasted in Europe bear no comparison to those with which I've been so often regal'd from your garden, excepting only the melons & grapes in Spain. The last year it's true, the season was unfavorable to the fruits in France, & I have not yet had an opportunity of judging of the peaches & pears this year, which ought to be fine if ever they are for the summer is confessedly a fine one, but the earlier fruits have still maintained their inferiority to ours.

Can you my dear sir account for the backwardness of speech in my children? Peter indeed may alledge the want of his mother's example,

but what excuse can be found out for Maria who is a great deal in my company, & is very active except with her tongue? Mr. Jay imputes her not yet talking to the confusion of tongues she has heard since her birth, since she must learn two or three words to express each individual thing she would speak of; & candor obliges me to confess that I'm of that opinion, for to do her justice she does not seem to want inclination.

I am a subscriber for a little work intitl'd *L'Ami des Enfants* par M. Berquin,<sup>3</sup> of which we receive a volume the 1st of every month; & could Peter read french I would send them to him as they were publish'd, for I really think they merit the title the Author has chosen for them; as in those little volumes the excellence of virtue & the depravity of vice is contrasted by the example of children of amiable & unamiable characters in so natural & easy a manner as cannot fail to impress the tender uncorrupted minds of children with proper dispositions; perhaps when I return if you have leisure, & think any of the tales may be useful to my children, you will be so obliging as to assist me in translating some of them into english for their use.

Adieu my dear Papa! May you long enjoy in health & independance the well-earned reward of your truly patriotic conduct, & live to see your Children's Children following your example.

As the packets from France & England will begin in September to sail for New York, I hope the intelligence between friends will be more frequent than formerly, & if indisposition does not prevent me from writing, Papa shall have no reason to complain of the silence of his dutiful & affectionate daughter

SARAH JAY

LBC, NNC.

1. See WL to Sarah Jay, Jan. 8, 1783, 4:505–6, and WL to Sarah Jay, May 21, 1783.

2. Ferdinand Grand, America's banker in Paris, had a country residence near the Hôtel de Valentine in Passy, where the Jays were residing (Morris, *Unpublished Papers of John Jay*, 2:612n).

3. *L'Ami des enfants* by Arnaud Berquin was published in monthly installments from January 1782 to December 1783. It was honored by the French Academy in 1784. An English translation by M. P. Meilan appeared in 1783 and was first published in the United States in 1786.

### From John Jay

*Passy, July 19, 1783.* Jay has received WL's letter of May 21.<sup>1</sup> He is pleased to learn that the provisional articles of the peace treaty are generally approved. Jay does not support harsh measures against Loyalists. He regrets the failure of the states to pay their taxes, feeling it harms the national interest. Using the Swiss and Dutch as examples, he argues that Congress be given powers to regulate commerce. He also argues for a strong military establishment. He hopes to return to America the following spring.

ADf, NNC. Draft published in Morris, *Unpublished Papers of John Jay*, 2:564–65.

1. See WL to John Jay, May 21, 1783.

### From John Livingston

New York 4th: August 1783

Dear Brother

I Embrace this opportunity of Sister Lawrence<sup>1</sup> to acknowledge Receipt of your Favour of 20th: Ultimo<sup>2</sup> by Mr. Watts<sup>3</sup> with the two Guineas Inclosed for the wine, the balance of 10/5 shall waite your order; I am happy to hear the wine had your approbation; when you have any future comands here, shall be glad of an opportunity to Render you my best services; Cate joyns me in Love to Sister & Family.  
Your Affectionate Brother

JNO LIVINGSTON

ALS, MHi.

1. Catherine Lawrence.
2. Letter not found, but see WL to John Livingston, June 30, 1783.
3. Probably Robert Watts.

## To Sir Guy Carleton

Elizabeth Town 10th August 1783

Sir

I have just received a representation from seven American Sailors<sup>1</sup> belonging to the State of Massachusits that complain [ . . . ] they have lately been pressed & are detained on board of his Britannic majestys ship the Diamond<sup>2</sup> being in the North river off Newyork. Their names are John Smith John Michal Edward Still Isaac Taylor [ . . . ] & Stephen Haines. If their complaint shall appear to be well founded, I doubt not your Excellency will give the proper directions for their liberation.

I have lately received Intelligence<sup>3</sup> that some of the Loyalists or Refugees [ . . . ] in the British lines have entered into a Combination to plunder & burn this village<sup>4</sup> [ . . . ]. I cannot say that my information is absolutely to be depended upon, but it seems at the same time too well founded to be altogether slighted. I am persuaded that your Excellency will do every thing in your power to prevent the execution of such an enterprize. I have the honor to be

ADf, MHi.

1. Representation not found.

2. The *Diomedé*. Refer to Edmund Affleck to Sir Guy Carleton, Aug. 11, 1783, *British Headquarters Papers*, #8687 (NN).

3. Not found.

4. Loyalist raids on Elizabethtown continued after the cessation of hostilities. According to WL, the Loyalists, often former New Jersey residents who wished to return to their homes, frequently acted under British commissions. Embittered New Jersey Whigs petitioned WL not to permit Loyalists to reoccupy their homes. For previous reference to the animosity against Loyalists see WL to Samuel Hayes, Sept. 1, 1782, 4:462–63.

## From Sir Guy Carleton

New York 16th August 1783

Sir,

I lost no time in laying Your Excellency's application (concerning seven sailors of the Massachusetts said to have been lately pressed into

the British service) before Admiral Digby,<sup>1</sup> to whom the cognizance of the case properly belongs, and I find that the persons You mention are on board the *Diomede*. After a strict examination Sir Edmond Affleck, who has his broad Pendant on board that ship, reports to me,<sup>2</sup> that, excepting two sent on board for theft and for concealing deserters from the *Diomede*, they all entered willingly into our service during the war, and were pressed out of our own Vessels,<sup>3</sup> one of them from a Bristol trader, two from one of our privateers, and the other two from a British Vessel by desire of the Captain for mutiny, as Your Excellency will perceive more particularly by the enclosed copy of a memorandum which I have received from the Commodore.

I have not been able to find the smallest trace of any combination entered into by Refugees or others here to plunder or burn any houses either in Elizabeth town or elsewhere;<sup>4</sup> and I am inclined to think that the intelligence Your Excellency has received on this head is without foundation, for certainly there can be no person within these lines who does not know that in every case of such enormity, I should use all possible means to have the Offenders brought to speedy and condign punishment; at the same time, if Your Excellency can furnish me with any means for obtaining Evidence of the supposed conspiracy, and detecting the parties engaged in so nefarious an undertaking, I presume that You need no assurances of my readiness and zeal, in behalf of Justice and humanity, to avail myself to the utmost of your information. I am, Sir, Your Excellency's most obedient and most humble Servant

GUY CARLETON

LS, MHi.

1. Rear Admiral Robert Digby.

2. Refer to Sir Edmund Affleck to Sir Guy Carleton, Aug. 11, 1783, *British Headquarters Papers*, #8687 (NN), in which Affleck informed Carleton that the men had been pressed from merchant ships or privateers or had been taken on board the *Diomede* for "mutiny, Theft, or concealment."

3. Seamen impressed by Britain, whether taken from British or American ships, often attempted to avoid service by claiming American citizenship. Hence, British officers were skeptical of such claims.

4. See WL's letter to Carleton dated Aug. 10, 1783 in which WL told Carleton of a rumored Loyalist plot to plunder Elizabethtown.

## To Sir Guy Carleton

Elizabeth Town 26 August 1783

Sir

I have just been favored with your Excellency's letter of Yesterday,<sup>1</sup> and am much Obligated to you for causing Cornelius Hetfield to be apprehended and secured in safe custody.<sup>2</sup> I can assure your Excellency that I have such confidence in the honor and integrity of a Court Martial, composed of British Officers, that I make not the least doubt of their impartiality in Acquitting or condemning the Prisoner, According to the evidence that should be produced to them. It is consequently not from any Apprehension that the strictest justice would not be done, in the mode of trial, which your Excellency proposes, that I prefer to it, the customary trial by Jury. But my reasons for preferring the latter, are these<sup>3</sup>

1st Because that the Crime charged is intirely of a Civil, and not of a Military Nature; and therefore even if the Accused was to be tried by the Laws of the Nation, in whose Garrison he has taken Shelter, the trial ought to be according to the course of the common Law, and not by a Court Martial; and more especially in time of Peace, and as he does not that I know of belong to the Military department.

2nd The Witnesses against him, and who reside in this State, refuse to go into your Lines, to give their testimony, and we have no process that can compel them. Hence he must necessarily be acquitted, for want of that evidence, which we make no doubt, would be sufficient to convict him, before any tribunal before which we could produce the Witnesses.

3rd The Crime of which he is accused, being committed after the Peace, he must by the Law of Nations, be considered as a Subject of this State, at the time of committing it, to the purpose at least, of being tried by our own Laws, as every Man owes a Loyal Allegiance to every State, in which he is during his stay in it. And with regard to your Excellency's apprehensions from *the Violent spirit which prevail against the Refugees*. I can assure your Excellency, that had I the least reason to suspect any partiality against the man from that consideration I should

from my regard for the strictest Justice and impartiality, even to the most nefarious criminal, be altogether of your Excellencys Opinion; But experience has ever proved, that under whatever popular odium a Man may be, and how violent soever the spirit of the people against the Refugees in general, yet whenever any of them has been tried for his Life, there is no instance of his ever having been convicted without the clearest proof of his guilt though Numerous have been the instances of persons of that description having been acquitted, when the evidence of their guilt has been very presumptive; our Juries being known to incline in favor of Life, whenever they can by any Construction of the evidence suppose the accused may possibly be innocent.

I therefore hope, that upon farther consideration of the Case, your Excellency will have no Objection against delivering him to the Authority of this State, and if such should be the result, I will cause him to be sent for in the most legal manner I can think of, which I imagine at present is by Warrant from the Chief Justice. I am, Sir, Your Excellencys Most humble and Most Obedient Servant

WIL: LIVINGSTON

Lcy, ViCW.

1. Refer to Sir Guy Carleton to WL, Aug. 25, 1783 (NN).
2. In response to a request for Hetfield's arrest, Carleton informed WL that Hetfield had left New York for Nova Scotia. When Hetfield returned, Carleton ordered his arrest but refused WL's request that the prisoner be turned over to New Jersey for trial. Refer to Carleton to WL, June 20, 1783, and Aug. 25, 1783 (both NN).
3. The issue of civil as opposed to military authority was an ongoing one between WL and the British. See Robert Digby to WL, Apr. 30, 1783. WL's demand for custody of Hetfield "Agrecably to the Law of Nations" also reiterated the constant American theme that the United States was a sovereign, independent nation. WL's intent was recognized by his former friend, Loyalist William Smith, who labeled WL's letter "a Pulse Feeler for the Acknowledgement of the Independency," and urged Carleton to refuse to surrender Hetfield. Refer to WL to Carleton, June 12, 1783 (NN), and Smith, *Historical Memoirs*, 2:594-95.

From Jacob Gerhard Diriks

August 29, 1783

Sir:

Blessed America, which through the fortunate peace publicly concluded, is now recognized as a free and independent Republic, has

taken its place among the world powers. I cannot fail to congratulate Your Excellency on that glorious event. May the bonds of union now be tightened more and more; may the love between the inhabitants of the states increase, so that they will remain a happy people until their last descendants. This is my sincere wish with the true contentment of one who bears the name of an American soldier.<sup>1</sup>

Mr. van Berkel<sup>2</sup> who has by now, I hope, arrived in Philadelphia is one whom Your Excellency will find a true patriot. The condition of the States here<sup>3</sup> is not satisfactory, and I fear that Holland will have to make a scandalous and harmful peace, which we have ourselves to thank for having granted all too much power to the Stadtholder.<sup>4</sup>

I had expected to be employed in my country, but, alas, the testimonies of Congress in my behalf were not taken into consideration,<sup>5</sup> consequently there is no chance to succeed. Yet some consolation remains for me in that I can take refuge in the New Republic, whose administrators, I trust, will not repudiate an officer who has had the honor to serve her during the recent events, and who hopes to enjoy the privileges permitted to the Army by a Resolution of Congress dated 22nd March of this year.<sup>6</sup> Your Excellency knows what I have suffered in America. At the risk of taking liberty, I am enclosing here a copy of a letter written in my favor:<sup>7</sup> I place, Sir, my person into your most highly favorable protection, in order that I, in my unfortunate situation may have options permitted to all army officers. If a standing force is established it will be my pleasure to be employed there, rather than to serve another ruler.

Recommending Your Excellency in the protection of God, and I have the honor, with all esteem, to sign Sir Your Excellency's most humble and obedient servant.

J. G. DIRIKS

LS, MHi. Translation.

1. For Diriks's military service in America see 2:472.

2. Pieter Johan Van Berkel, brother of the pensionaris of Amsterdam, was appointed Dutch minister to the United States in May 1783. He left for Philadelphia in June, but weather stayed his arrival until October.

3. The Netherlands.

4. The Stadholder, William V, remained firmly pro-British (see Diriks to WL, Apr. 29, 1782, 4:400–1). For the development of the Anglo-Dutch conflict see Baron van der Capellen to WL, May 25, 1781 and, Aug. 15, 1781, 4:199–205, 251–53.

5. For Diriks's applications to Congress see Gosuinus Erkelens to WL, May 18, 1781, 4:197–98.

6. The act of Mar. 22, 1783, resolved that officers "shall be entitled to receive the amount of five years' full pay in money, or securities on interest at six per cent per annum, as Congress shall find most convenient" (*JCC*, 24:207).

7. Diriks sent WL a copy of a letter from John Sullivan to George Washington, Aug. 20, 1783 (MHi).

## From John Livingston

New York 30th: August 1783

Dear Brother

Since my Last,<sup>1</sup> I have inquired for the Iron bound Puncheons.<sup>2</sup> I called at all the King's stores, but could not gett any; they use them for water casks for the Transports. Perhaps I may gett some at the Private Coopers, who ask 16s. each for them; if you chuse any at that price, Please to inform me first, and shall indeavour to procure them. Sir Edmund Affleck returned yesterday, and called on me at his Landing; to tell me you and family were all well Except Cousin Cate.<sup>3</sup> He is much Pleased with his jaunt, and Polite Reception in your State. Cousin Brockholst by whom I intend this, arrived this morning from Albany,<sup>4</sup> and intends going home this day. My Wife received Cousin Susan's Polite Letter for which she thanks her; and hopes she will Excuse her in not answering it, as she is a bad writer; and Requests her Love with mine to Sister & Family. Your Affectionate Brother

JNO. LIVINGSTON

ALS, MHi.

1. Refer to John Livingston to WL, Aug. 24, 1783 (MHi).

2. WL's request for iron bound puncheons, large wooden casks for holding liquids or fish, was contained in a letter to John Livingston dated Aug. 21, 1783. Letter not found.

3. Sir Edmund Affleck, commodore of the British navy stationed in New York Harbor, had stopped at Elizabethtown while on a visit to see the Great Falls of the Passaic at Paterson. For an earlier reference to Affleck see Sir Guy Carleton to WL, Aug. 16, 1783. For latest reference to Catharine Livingston's health see WL to John Livingston, June 30, 1783.

4. For the most recent reference to Henry Brockholst Livingston's stay in Albany see WL to Peter W. Yates, May 2, 1783.

## From Sir Guy Carleton

New York 31st. August 1783

Sir,

Cornelius Hatfield has been made acquainted with the charge and proof against him, and for his vindication has sent me affidavits with other pieces copies of which I enclose.<sup>1</sup>

It would have given me much pleasure to have found your Excellency's opinion coinciding with the reasons that determine mine in fixing his trial at this place; for upon the maturest consideration, I cannot reconcile myself to the surrender of the Prisoner, as the measure most likely to satisfy what substantial Justice requires.

I certainly am not disposed to controvert the general right of Nations at amity, to make reciprocal resolutions for atrocious Criminals; or that Justice be executed in the place to which the fugitive resorts; it is, Sir, because there is so much reason, to lament the slow abatement of that hostile spirit, which it was the intention of the articles of peace to subdue, that I prefer the trial of the prisoner at this place.

On the other hand, your Excellency may dismiss all apprehension of the Prisoner's escaping,<sup>2</sup> by the exception to our authority, in a course not conforming exactly to the common law, since our Courts here for the trial of offences, against the law, stand upon the ground of absolute necessity, to avoid all the miseries of a wanton and perilous licentiousness.

As to the obstacle of the obstinacy of the country witnesses, I must leave it to their own discretion.

The Court will sit from the 8th. to the 13th. of September,<sup>3</sup> both included, and the witnesses can have no doubt of finding the amplest protection. If the accuser Mr. DeHart<sup>4</sup> does not appear, it must certainly afford strong ground for the suggestions in the affidavits; and if it is prompted against the inclination of the supposed sufferer, it tends not a little to confirm the preference I have made of the trial here, to the surrendering of the Prisoner to one on your side of the lines.

Df, NN.

1. In addition to personal protestations, Hetfield accumulated several affidavits supporting his claims of innocence. Hetfield's corroborated account was that on May 6, 1783, he was passing the Elizabethtown house of Joseph DeHart when he heard noises coming from inside. He entered the house to investigate and discovered that the intruders had fled. He subsequently pacified the DeHart family, advising them to return to bed. On June 5 DeHart filed an affidavit accusing Hetfield of armed robbery. Refer to petition of Cornelius Hetfield to Sir Guy Carleton, August [n.d.], 1783, *British Headquarters Papers*, #8807 (NN), and affidavits in Extracts of Court Martial, July 26–Sept. 27, 1783, *ibid.*, #10173.

2. In December 1778 Hetfield was captured by Washington's troops, but escaped from a New Jersey prison into the British lines the following January. See George Washington to WL, Dec. 21, 1778, 2:520–21; WL to Abraham Clark, Dec. 30, 1778, 2:524–26; and WL to George Washington, Jan. 9, 1779, 3:17–18.

3. After several postponements, the court on Sept. 27, 1783, found the defendant not guilty, and concluded that "the prosecution is not only groundless but invidious and malicious in the utmost extreme." Refer to Court Martial Record, *British Headquarters Papers*, #10164 (NN).

4. Joseph DeHart did not appear.

## To Sir Guy Carleton

Elizabeth Town 1 Sept 1783

Sir

I acknowledge the Receipt of your Excellencys Letter of yesterday with the three affidavits enclosed. Waiving the irregularity of furnishing the Prisoner with the Proof instead of the charge against him, that must necessarily prompt [his?] [ . . . ] [time?] to tamper with the Witnesses (which in fact already appeared to be the Case[]). I find myself very unhappy in not being able to concur with your Excellency in Judgment, respecting the propriety of having Cornelius Hetfield tried for the Robbery which he is charged to have perpetrated in this State. Subsequent to the Notification of the Preliminary articles of Peace between the two Nations by a Court Martial in your Garrison at New York.

As such a trial, Sir, from the illegality of it, even According to the British Constitution can by no means be decisive, as being altogether unauthoritative and as the Lawyers term it, *coram non iudice*,<sup>1</sup> it follows that his acquittal by such Court, it will not be pleadable in bar of our future proceedings against him for the same Offence, whenever either

his indiscretion, or his incurable passion for robbery shall induce him to repeat his visits to New Jersey.

So far as that hostile Spirit which it was the intention of the Articles of Peace to subdue could be made appear to me not founded upon solid reasons, but merely vindictive. I can assure your Excellency that I should lament the New abatement of it, as much as you do. But how Sir can it be expected that the present spirit of the People will ever abate, while the Refugees continue their depredations and robberies, at a time when they have not that flimsey and transparent cloak to veil their predatory incursions Amongst us, in which they were wont to wrap themselves, as long as they could make use of the pretext of resorting from the sheer principle of Loyalty to the British Standard, when they only meant to legalize their plunders as hostilities agreeable to the Laws of War.<sup>2</sup> I am Sir, Your Excellencys most obedient and most humble Servant

WIL: LIVINGSTON

LBC, CAOOA.

1. *coram non judice*: the decision of a court is void when it decides a case over which it has no jurisdiction.

2. For the most recent mention of Loyalist raids see Sir Guy Carleton to WL, Aug. 16, 1783, and n. 4.

### From John Jay

Passy 12 September 1783

Dear Sir

My last Letter<sup>1</sup> informed you that on the 13th Ultimo Mrs. Jay was delivered of a Daughter.<sup>2</sup> We have called her Ann. Sally is pretty well recovered. The Child has a violent Cold—Maria [is] very well. We hope next Summer to present these little girls to you, for I assure you we look forward with Impatience to the Day when we shall embark for America. Peter I suppose continues with you. We hope that he speaks more plain, and improves in [ . . . ] both of body & mind.<sup>3</sup>

A Monsieur Montgolfin here invented globes which he fills with inflammable air so much lighter than common air as that they rise above the Clouds with great Velocity and are capable of carrying up with them a very considerable weight.<sup>4</sup> The enclosed Prints represent the

[ . . . ] ascent & fall of the first that was exhibited at Paris.<sup>5</sup> This Invention is considered as very important, & further Improvements will probably render it useful in various Respects.

The enclosed is the seed of a flowering shrub. I am Dear Sir with affectionate Regard, Your most obedient

P.S. Mr. Thaxter<sup>6</sup> who carries the definitive Treaty is the Bearer of this, and I recommend him to your friendly attention. He is a very deserving young soul.

AL, NNC.

1. Letter not found. Refer to Catharine Livingston to John Jay, Nov. 9, 1783 (Morris, *Unpublished Papers of John Jay*, 2:636–38).

2. Ann Jay was born on Aug. 13, 1783.

3. For WL's latest comments to the Jays about Peter see WL to Sarah Jay, May 21, 1783.

4. Joseph and Jacques Etienne Montgolfier launched the first successful unmanned hot-air balloon at Annonay on June 5, 1783. The first Paris ascent occurred on Aug. 27, 1783, when the *Charlière*, constructed by the brothers A. J. and M. N. Roberts, under the direction of physicist Jacques Alexandre César Charles, reached a height of 3,000 feet. It travelled sixteen miles before crashing in the village of Gonesse, where it was attacked by the frightened peasants with pitchforks.

5. Jay sent numerous copies of prints issued on the ascent and crash of the *Charlière*. "Launching in the Champs de Marc" and "Panic at Gonesse," both in the Richard Gimbel Collection, U.S. Air Force Academy, may have been among those sent.

6. John Thaxter, Jr., John Adams's private secretary, left Paris on Sept. 14, 1783, to return to the United States with the definitive Treaty of Peace and the original treaty with the Dutch States General. Refer to Butterfield, *Adams Papers*, 3:143.

## To William Paterson

Elizabeth Town 15 Sept. 1783

Sir

I have received your Letter of the 4th instant.<sup>1</sup> As to the action against Hopkins<sup>2</sup>—the faults I found with his certificate (to which I can't turn at present) were that he did not confess that he had ever spoken the words, nor that he was sorry for it in case he had, nor that they were without foundation. But if he was drunk at the time, as I verily believe he was, it is very possible that he does not recollect the speaking of them, I will therefore dispense with that acknowledgement, if he will declare the two last; & I will on my part promise not to publish his recantation in print, but only take the Liberty to show it on

proper occasions. If he will agree to this & pay the costs, I mean all the costs as well honorary as taxable, I agree to your discontinuing the suit. But in order to make him do this I suppose it will be best to give notice of trial.

At the time of your writing the Letter above referred to, I suppose that you had not received another line from me, in which I acquainted you that I had found a mortgage from Mr. French to Messrs. Van Horne Clarkson & myself of which I sent you the boundaries of the lands,<sup>3</sup> mortgaged. I shall in a few days send you copies of the Bonds & the deed you mentioned & doubt not you will use your best endeavours to secure my debt as I believe no man in the United States has been so great a sufferer by lending money to his relations as Sir your most humble servant

WIL: LIVINGSTON

ALS, MB.

1. Letter not found.
2. Peter Hopkins. See WL to Peter Hopkins, June 10, 1782, 4:424–25 for background on this disagreement.
3. Philip French had mortgaged lands in Somerset and Middlesex Counties to his sons-in-law, WL, David Van Horne, and David Clarkson. At the time of WL's death, French still owed him £320. Refer to Calculation and Plan of Settling the Proportion of Mortgage from Philip French to WL, David Clarkson, and David Van Horne, July 31, 1791 (NjHi); and Schedule of Bonds Debts Etc. Belonging to the Estate of Governor Livingston, Deceased (MHi, vol. 4).

## To Monsieur de Marbois

ElizabethTown 24 September 1783

Sir

Considering my passion for horticulture, under how great obligations am I to you for your very agreeable present of such a variety of garden seeds as accompanied your Letter of the 17th<sup>1</sup> & are dignified by the circumstance of their coming from the Kings garden? Thanks to heaven that the times again permit me to pursue my favourite amusement of raising vegetables which with the additional pleasure resulting from my Library I really prefer to all the bustle & splendour of the world. I hope our republican soil will not [ . . . ] the products of a monarchical climate. I wish I were able to say that our perversion of *repub-*

*lican principles* had not depreciated our public virtue; & that we were as celebrated abroad for our punctuality in the discharge of our engagements, as I trust we are for our perseverance in our late conflict with Great Britain. [ . . . ] transmit to the Chancellor<sup>2</sup> the half of each sort agreeably to your request; & the remainder will be sufficient to raise at least plenty of seed for the next year with an opportunity of discovering their respective qualities. Should you stay another year in America I hope you will favour me with an opportunity of giving you an ocular demonstration of my diligence in their culture.

I am apprehensive that the Definitive Treaty [ . . . ] procrastinated on account of some devilish dance that the English are leading our plenipotentiaries respecting the commercial part of the compact.<sup>3</sup> Our trade with Britain ever has been & ever will be ruinous to this Country. It will nevertheless require great address to divert the Americans into another Channel & it redounds much to the honour of the French Ministry that they make commerce so capital a point of national concernment. I most ardently [ . . . ] that they may be able totally to [wean?] us as to all similar articles with which France can supply us at the same price from applying for them to a *Grandmother*\* that has used us in so impartial a manner. With great esteem I am Sir

\* an allusion to an observation of a Gentleman who in conversation with a Tory (the Latter insisting upon the impiety of resisting *the mother Country*) replied that it was impossible for Great Britain to be the *mother country* of people born in America. But that be they originated from those who really were born in Britain, he was willing to compound the matter by acknowledging Great Britain to be our *Grand mother*.

LBC, MHi.

1. Letter not found. For previous correspondence see Monsieur de Marbois to WL, Dec. 1, 1782. 4:491–92.

2. Robert R. Livingston.

3. The peace treaty between Great Britain and the United States favored British shipping and manufacturing interests and discriminated against the United States by barring its ships from the profitable West Indian trade. For the most recent discussion of the peace terms see Robert R. Livingston to WL, Mar. 24, 1783, 4:515–16.

## From Baron von Steuben

[October 20, 1783]

Sir

I take the liberty of offering through your Excellency a request to the honorable the Legislature of the State of New Jersey which if your Excellency should not think improper I hope will meet with your support.

There is a house & farm at hoebuck which was the property of a Mr. Bayard<sup>1</sup> but at present I am informed belongs to the State. If this house & farm is to be sold I should be happy in having the right of preemption. As I have not yet a home in the United States nor have seen a place which pleases me more than the one above mentioned I shall be much indebted to your Excellencys goodness should the honorable Assembly think fit to grant my Request. I am etc. etc. etc.

STEUBEN

ALS, NHi.

1. See WL to Sir Guy Carleton, May 17, 1783, for the confiscation of William Bayard's Hoboken estate.

## To the Legislature

Trenton, 7th Nov. 1783

GENTLEMEN,

I AM very sensibly affected with the Honour conferred upon me by the Representatives of the good People of New-Jersey, in appointing me to so eminent and important an Office as that of Governor of this State;<sup>1</sup> the favourable Opinion which they are pleased to entertain of my Abilities, and the great Confidence they repose in my Integrity by such Appointment, deserves my warmest Acknowledgements; how much soever they may happen to find themselves mistaken in the first, I assure them that I am determined to merit the latter; and I hope, by the more diligent Application and greater Industry in promoting the Commonweal, in some Measure to atone for the Defect of brighter Talents, and more extensive Knowledge.

WIL. LIVINGSTON

*Joint Meeting, 59.*

1. The only dissenting vote in this election was cast by Samuel Tucker. For WL's reelection in 1782 see WL to the Legislature, Oct. 30, 1782, 4:486.

## To Baron von Steuben

Trenton 7th Nov 1783

Sir,

I was not honoured with your Letter of the 20th of October,<sup>1</sup> till three days ago, since which I have been so particularly occupied in business as not to have had it in my power to send you a line in answer.

Respecting this State's giving you the pre-emption of the House and farm at Hoebuck late the property of Mr. Bayard but since confiscated & vested in the State, give me leave to assure you Sir, that I scarcely know a Gentleman on the whole Continent whom our Assembly would take a greater pleasure in obliging than Baron Steuben; but Commissioners being appointed by act of Legislation in every county to sell in the respective Counties the forfeited lands at public auction to the highest bidder,<sup>2</sup> the Assembly cannot without a new Law repealing the powers vested in the commissioners for that particular county respecting that particular farm, give any directions to the contrary; and your own good sense will dictate to you the difficulty of obtaining such repeal in favour of any Individual, from the Precedent that would thereby be established for the claims of other applicants who might, tho' without foundation, conceive themselves, equally meritorious, & consequently equally entitled to the like indulgence by legislative interposition. You know Sir, the nature of our democratical Governments. You know the Jealousy of Republicans. Your only way therefore, if you still retain your fancy for purchasing the farm in question, is to employ some agent (if the farm is not already sold, which I really cannot at present ascertain) to make the purchase for you, limiting him as to the sum that he is not to exceed. But if you never was on the spot yourself in the months of July August or September; & I thought myself at liberty to obtrude my advice upon you, I would say that considering how often you are exposed to lose blood in the way of your profession as a soldier, I would dissuade you from putting it in the power of the Musketoes at Hoebuck to augment the effusion, for never did I set my foot in a place where that troublesome & venemous little volatile, during those months,

swarmed in greater abundance. I have the honour to be with great Esteem Sir your most humble & most obedient Servant

WIL: LIVINGSTON

ALS, NHi.

1. See Baron von Steuben to WL, [Oct. 20, 1783].

2. For previous references to the confiscation of Loyalist property see WL to the Assembly, May 28, 1777, 1: 341–43, n. 2; WL to the Assembly, Feb. 16, 1778, 2: 219–29, n. 16; and WL to Sir Guy Carleton, May 17, 1783, n. 3.

## Message to the Assembly

*Trenton, 7th November, 1783.*

GENTLEMEN,

I HEREWITH lay before the Honourable House the Papers which I have officially received since the last Session of the Legislature; a List of which is also herewith transmitted respecting Mr. *Morris's* Nomination of *Benjamin Thompson*, Esquire,<sup>1</sup> for Commissioner to settle the Accounts between the State of *New-Jersey* and the United States; and to settle and liquidate in Specie-Value all Certificates given by publick Officers to Individuals in the State, and other Claims by such individuals against the United States, according to the Term and Effect of an Act of Congress of the 20th of *February*, 1780<sup>2</sup> (which said Nomination is marked No. 24) I have it to observe to the Legislature, that solicitous as I was to have such Commissioner nominated by Mr. *Morris* as soon as possible, for which I can appeal to my having addressed him tw[ice?] to that Purpose since the last Session of the Legislature; yet I thought it most prudent for the following Reasons not to confirm his Appointment<sup>3</sup> when I received it, though Congress has vested the Executive as well as the Legislature of this State with that Authority:

1st. Because some considerable Time had elapsed between the Date of Mr. *Morris's* Letter notifying to me the said Appointment, and my Receipt of that Letter,<sup>4</sup> which brought it so near to the Meeting of the present Assembly, that, had I summoned a considerable Number of the Council whose Advice I should naturally have requested on a Subject of such Moment to the State, it would have saved so little Time as not to equal in my Judgment in publick Importance the deferring the Matter until the Meeting of the present Assembly.

2d. Because, being entirely unacquainted both with the Character and Abilities of the Gentleman nominated, I must totally have relied upon Mr. *Morris's* Judgment, of which, though I entertain the highest Opinion, I could not think proper implicitly to rely upon in an official Character in which I must suppose it was expected that I should exercise my own. And,

Lastly. Because I thought it would naturally give greater Satisfaction to the People to have the Nomination of so important an Officer approved of by their Representatives in Assembly, than by the Executive alone. Having therefore referred the Matter, for the Reasons assigned, to the Honourable House, and the Gentleman appointed by Mr. *Morris* having for some Time attended to know your Determination respecting him, I doubt not you will enter upon the Consideration of the Matter with all convenient Dispatch.<sup>5</sup>

WIL: LIVINGSTON

*Votes*, 13.

1. Robert Morris. List of correspondence was included with WL's message, but Morris's nomination of Thompson was not found.

2. On Feb. 20, 1782 (not 1780), Congress authorized Morris to appoint a commissioner in each state to settle accounts between that state and the United States for money owed to the states by Congress. In addition to state debts, the war debt also consisted of money owed to individuals by Congress and to individuals by states (*JCC*, 22:84–85).

3. Congress ruled that each commissioner be "approved of by the legislature or the executive of the particular State for which he shall have been nominated" (*JCC*, 22:84).

4. According to the enclosed list, Morris's letter was dated Sept. 16, 1783. The date of receipt by WL is not known.

5. The New Jersey Assembly and Council approved Thompson's nomination on Nov. 8, 1783 (*Legislative Council* [Oct. 28–Dec. 24, 1783], 8 and *General Assembly* [Oct. 28–Dec. 24, 1783], 15).

From Robert Livingston

Manor Livingston 8 Nov. 1783

Dear Brother,

When I was this last Spring on a Visit with your Sister<sup>1</sup> to See her Children at Second River, we imbraced that oppertunity, of Visiting you, but unhappily did not find you at home, we had however the pleasure of finding Sister,<sup>2</sup> with the children who intertained us, very agreeably, the Situation you live in is very agreeable, & the House very Com-

odious, we Should have been glad to have found you there as the like opportunity may not happen again while we are become thus advanced in years; may God be Mercyfull to us, & Comfort us, [ . . . ] End of life, we have incounterd many difficulties & Sustained many losses for these 7 years past, by means of the late unnatural war, God be praised for the happy End I Sincerly Congratulate you on it, as you have had a full Share of difficulties during all the time, may we acknowledge the hand of kind Providence with Sinclear thanks.

In Examining your house I found 5 back plates much wanted, & desired Couz. Brackhurs<sup>3</sup> to give me the dementions which he did, those I Sent to my Founder with orders to have them Cast which he has done & am now Sending them down to the Care of our Brother John with request to forward them, with this letter, to yourself wish they may be agreeable to the dimentions and Acceptable to you; your Sister,<sup>4</sup> Sister Lawrence joyn me in Love to you Sister & family. Sister Phill<sup>5</sup> Doctor Jones family & all mine are well am, Dear Brother, Your affectionate

ROBT LIVINGSTON

ALS, MHi.

1. Alida Livingston Hoffman. For previous correspondence see WL to Alida Hoffman, Dec. 3, 1782, 4:494.
2. WL's wife, Susannah French Livingston.
3. Henry Brockholst Livingston.
4. WL's sister Sarah, Lady Stirling, was staying with Robert Livingston, Jr., after the death of Lord Stirling on Jan. 15, 1783. For Stirling's death refer to WL to Lady Stirling, Jan. 29, 1783 (MHi).
5. Christina Ten Broeck Livingston, wife of Philip Livingston.

## To William Hooper

Trenton, 10th November, 1783

My Dear Friend,

Will you believe it? I never received your letter of the 15th of May<sup>1</sup> till a few days since. What malicious fiend of fairy, sylph of sylphite, or rather what infernal tory detained it, and thereby deprived me, during that interval, of the pleasure of hearing from you, I know not. . . .

I have had the pleasure of spending the last summer with my family at Elizabethtown, which is the first time in seven years that I have had

any place which I could properly call my *home*. My return, after so long an absence, gave me an additional relish for that rural life and noiseless retirement for which I have long had an ardent passion. To gratify this rational taste, especially in an old man, I had some serious thoughts of declining all public business in future: and to wrap myself in a sort of *otium cum dignitate*:<sup>2</sup> but from the unanimity of the people, which (let politicians say what they please) is flattering to the most unambitious man, to continue me in office: from my own conceit, whether true or false, that several matters would necessarily occur in the first year after the peace which would have such an ultimate connection with many transactions during the war, that an old hand might probably be more serviceable than a new one: and from my still equal strength of constitution to what I had when you first knew me, I have again consented to take hold of our little political helm.<sup>3</sup> It is much in your power, my dear sir, if you will not be at the trouble of enabling me, by your advice, to carry the ship by the straightest course to the destined haven, to soothe at least the pilot on his tedious voyage by the *agréments* of your correspondence, upon which I do you the justice to be assured that I set an inexpressible value. I am, etc.

Sedgwick, *Livingston*, 383–84

1. Letter not found.
2. *otium cum dignitate*: leisure with dignity.
3. For WL's reelection see WL to the Legislature, Nov. 7, 1783.

### From Henry Brockholst Livingston

Elizabeth Town 11th Nov. 1783

Dear Sir,

I made every Inquiry while at Albany in my power to ascertain the value of Land in the Oriskanie Patent.<sup>1</sup> General Schuyler<sup>2</sup> who is well versed in such matters, thinks you ought not to take less than thirty shillings an acre and is of opinion it will soon rise much in value. He would not however wish to have his name mentioned either to Col. Floyd,<sup>3</sup> or Mr. L'hommedieu.<sup>4</sup> Colonel Van Rensaelaer<sup>5</sup> offered me £1,000 for as many Acres—to pay one half of the Consideration immediately—the remainder in three months. I told him it was too little, &

that you were already in treaty for the sale of your Interest. Several Gentlemen in Albany agree in sentiment with General Schuyler, both as to the present worth of that Land and as to the prospect of its rising in value. If therefore you can possibly do without selling your share of that Patent for the present, & have not come into any Engagements with Colonel Floyd, would it not be best to wait a little, & put the Opinion of General Schuyler to the Test.

I mean to settle myself in New York next week by which time I expect the British will have left it.<sup>6</sup> I have taken rooms at Mr. Kettelas<sup>7</sup> in Wall-street & shall want an immediate supply of about one hundred Pounds. This, I am certain, it is not in your power to advance me & therefore I purpose to raise it by selling as much of my depreciation Rates as will produce that sum.<sup>8</sup> This is a measure I had much rather submit to than put you to any Inconvenience or expose you to loss by prematurely selling any of your Lands. Colonel Coxe<sup>9</sup> once offered to take these Notes. If he be in the same mind, you may dispose of as many Pounds of them as will produce one hundred. Should you however be unwilling to negotiate this matter, I will pay you a visit at Trenton, and take it upon myself.

As you are reelected to the government, it is not probable you will have occasion for your law books this year. I shall therefore take the liberty you have given me of selecting out such as may be of immediate use to me & shall return them as I find myself in Capacity of purchasing for myself—or sooner if you require it. Be pleased to write me as soon as you can. The family are well. I am your dutiful Son

BROCKHOLST LIVINGSTON

ALS, MHi.

1. WL's father Philip, second lord of Livingston Manor, owned a tenth share of the 30,000-acre Oriskany Patent at the western end of the Mohawk River in present day Oneida County. Co-owners of the patent were Goldsbrow Banyar, John Harris Cruger, James DeLancey, and Augustus Van Cortlandt. Approximately 5,000 acres of Mohawk Valley land in Oriskany, Glen's Purchase, Canajoharie, and Stone Arabia had been inherited by WL following Philip's 1750 death. WL's ownership of the property was confirmed at the 1768 treaty of Fort Stanwix when the Oneidas released their claims to the area (N.Y. Historical *Collections*, 28 [1895]:230–31; 29 [1896]:106–7).

2. Philip Schuyler.

3. William Floyd.

4. Ezra L'Hommedieu.

5. Johannes Van Rensselaer.

6. The British evacuation occurred Nov. 25, 1783.
7. Peter Ketteltas, Sr.
8. For WL's financial situation see WL to [Isaac] Plume, May 2/3, 1783.
9. John Coxe.

### From Baron von Steuben

November 17, 1783

Sir,

When I took the Libertie to address Your Excellency my Request to the Legislature of the State of Jersey,<sup>1</sup> I mentioned the farm and house at Hoebuck, knowing no more about it or that this Place by Confiscation belonged to the State. A Man who has no house to Leave in is not very particular in his choice. This Sir is really my Case. Several States have made me Grants of Land in the most Generous Manner that neither the Democratical Principles nor the jealousy of Republicans, have been as Obstacles to honor me with a particular Mark of Affection.

In the State of Jersey I wished for a Dwelling house—not as a Grant—but only to buy it by a pre-emption, which I would have considered as a particular mark of favor conferred on me by the State of Jersey.

But as the apprehensions of jelousie or other Reasons for a Similar [ . . . ] Stands in my Way—I withdraw Willingly my application.<sup>2</sup> I have the honor to be With great Esteem,

Lcy, NHi.

1. See Baron von Steuben to WL, [Oct. 20, 1783].

2. See WL to Baron von Steuben, Nov. 7, 1783. The Hoboken estate was purchased by John Stevens, Jr., on July 26, 1784.

### To Baron van der Capellen

Trenton 18 November 1783

Sir.

It is a few days since that I was honoured with your Letter of the 14th of June which I received at Princeton on my way to this place to meet our Legislature.<sup>1</sup> As Mr. van Berkel<sup>2</sup> was expected at Princeton in two

or three days to deliver his Credentials to Congress then sitting in that Village,<sup>3</sup> I staid on purpose to be present at his audience, & to pay my respects to him the day following. I don't remember that ever I saw a person deliver a speech in a more graceful manner than that in which he addressed Congress. He is most cordially received by us; and you have made a very happy choice of a Plenipotentiary in the person of his Excellency. Indeed their Highmightynesses, without flattery, seldom fail in selecting the most proper characters for their Ministers abroad.

De Baron de Vos van Steenwijk<sup>4</sup> and de Heer Backer<sup>5</sup> I had the pleasure to see at Princeton; but from the numbers of people there collected, & my own incommodious situation upon that account, it was not in my power to shew them that attention which I wished to pay to their rank, & to your recommendation. They were sensible of my embarrassment, & were so kind as to accept my apology. They are since returned with de Heer van Berkel to Philadelphia, & have promised to pay me a visit in their passage thro' this town to the City of New York as soon as the English shall have evacuated it, which it is expected those unwelcome strangers will do, before the end of this month.<sup>6</sup> The young Gentlemen, after having seen that metropolis, intend to visit the southern States during the winter months, & to return in the spring to take the tour of the northern ones. In this they shew a prudent attention to the season of the year.

I esteem it, sir, no small honour conferred upon America that we are visited by personages of such illustrious rank in Holland; & you pay us a great compliment by supposing that they will be able to make a brighter figure in your national councils by any improvement they may acquire by acquainting themselves with the different forms of the republican Government in the United States.<sup>7</sup> In the organization of our respective commonwealths, we were unavoidably precipitated. We had not adequate leisure for mature deliberation. The Enemy was at the door; & a man is not sufficiently calm & composed to frame new Constitutions of Government amidst the sound of trumpets & the roaring of hostile cannon. Add to this that mankind are prone to run from one extreme into another. We had found by dear-bought experience that the British constitution was grown too monarchical; & that the Crown had acquired too great an assendancy over the republican part of their Legislature from the number of offices in the sole gift of the King, which necessarily gave the Executive a much greater weight in the scale of po-

litical power than the original framers of the English constitution intended, or than was consistent with what they designed as a proper republic, tho' with a king at the head of it, as was that of the Romans with a Consul.<sup>8</sup> With that fear before our eyes, tho' the like evil could never take place amongst us, it being the fundamental maxim of all our constitutions that all authority is derived from the people, in consequence of which all our officers are either actually or virtually appointed by the people, we improvidently raised a battery against an attack that could never be made upon us, & accordingly constituted the Executive branch too weak & inefficacious to operate with proper energy & vigour. Experience, it is to be hoped, will soon convince us that our Governments want amending in this instance, tho' I hope that they will never so far degenerate into the aristocratical form as some of the Commonwealths in Europe, that were originally the purest republics, have done.

I was honoured some time in the latter part of the summer with a letter from you of a very old date accompanied with one from the patriotic society at Enkhuysen<sup>9</sup> with a present from them of six caggs<sup>10</sup> of herring. Not having that letter at present with me, it being left at home, I can but imperfectly recollect the contents. The reason why Congress did no more for Colonel Dircks,<sup>11</sup> I presume proceeded rather from their inability to make such provision for deserving officers as they wished to do, than from any dissatisfaction at any part of his conduct, he having always sustained, as far as I have been able to learn, a fair and unblemished character.

Respecting his professing himself related to your family,<sup>12</sup> since that appears by your letter not to be the case, I should rather suspect, from my opinion of his veracity, that he could never have told me so; but otherwise I should be pretty positive from the best of my recollection that he really gave me to understand as much, & that he assigned that as the reason of his having the freer access to your person, & of his being the more proper channel thro' which I could introduce the first letter that I had the honour to address to you.

Your herring, Sir, is undoubtedly of a higher flavour than ours, either owing to the superior skill of the Hollanders in curing it, or that the fish itself is really richer & more delicious than the same sort with us. But as we certainly have the same species, & that in immense quantities, I cannot think that the exportation of your herring to any part of America will ever constitute a considerable branch of commerce. They may in-

deed be introduced to the tables of the Great as a delicacy, but the consumption will always be inconsiderable, & I have eat our own herring after having been three or four years in pickle that approached nearer to flavour of an anchovi, than any of yours I have ever tasted. For as your Countrymen seem to prefer your herring in proportion to the recency of their having been caught, ours, on the contrary, are supposed to meliorate every year by keeping, at least till they are about five years old, when they begin to dissolve. They are then used for fish-sauces as a substitute for the anchovi, which I think is taken only in the Mediterranean, comes to us at a very high price, & is chiefly used in sauces, & by way of dissert. Our herring may be bought at a shilling sterling per hundred; & millions of them that are taken in drawing the net for other fish, are left to perish on our shores.

After all, sir, I think myself too patriotic to encourage the importation of foreign luxuries, especially during our present national poverty, & our heavy debt both foreign and domestic.<sup>13</sup> Nor can I bear to see any of our cash transmitted to Europe or Asia in quest of delicacies to tickle the palate, while I am accosted by a soldier with a wooden leg, or a lost arm, who has a just demand of pay upon Congress for his essential services in delivering his country from the late meditated tyranny.

Now give me leave, Sir, in my turn to congratulate you on the establishment of our Independance, & our triumph over our Enemy, which from the active part you have ever taken in our cause, I can do with the better grace, as from that consideration I can with propriety call it *your* triumph. Permit me farther to congratulate you on the triumph which you have still more personally gained over the persecution you have suffered in your own country for your inflexible patriotism, your noble liberality of sentiment, & your inviolable attachment to the cause of liberty & of human nature. It is with inexpressible joy that I find your public papers resounding your praise. "Magna est veritas et prevalebit."<sup>14</sup> And how variable so ever the voice of the people, & tho' the present is not the world for the full reward of virtue, yet Providence is often pleased, upon the immovable perseverance of the virtuous man & the desinterested Patriot to grant him even in this world the victory over obloquy & malice, to disarm the hand of persecution, & to crown him with the plaudit of his country.

Since King George has at last come to his right mind in consequence of which our correspondence will not meet with such frequent interruptions by the cruisers of a nation celebrated for an exclusive claim to

the Ocean, which is, it seems, to all other nations without their leave *mare clausum*<sup>15</sup> (I hope that after their late serious frolic with America, the devil not put it into their heads to arrogate an exclusive empire over another Element, the Air), I say, I hope, Sir, that now I shall have the pleasure of hearing more frequently from you. Do me the justice to be persuaded that I shall esteem such a correspondence a very principal ingredient in the future happiness of my life. With great respect I have the honour to be, Sir, Your most humble and most obedient servant,

WIL: LIVINGSTON

*Brieven*, 699–703.

1. Letter not found. The legislature met from Oct. 28 through Nov. 24, 1783.
2. A letter of credence appointing Pieter Johan van Berckel minister plenipotentiary from the Netherlands was read before Congress on Oct. 25, 1783. Van Berckel was presented to Congress on Oct. 31, 1783.
3. Congress met in Princeton from June 26 to Nov. 4, 1783. For Congress's move to Princeton see Elias Boudinot to WL, June 23, 1783.
4. Carl de Vos van Steenwijk, a member of van Berckel's staff from the province of Drenthe.
5. Mr. Backer, a member of van Berckel's staff, was from a wealthy Dutch banking family.
6. The British evacuated New York on Nov. 25, 1783.
7. The Dutch Republic consisted of a confederacy of seven sovereign provinces, each of which in turn was composed of cities and regions with sovereign powers. The hereditary stadship of the House of Orange was in constant rivalry with the regents, who possessed sovereignty in the town councils, provincial states, and the States-General. All matters of importance had to be sent to the provincial states, and from them to the town councils for approval.
8. The supreme civil and military magistrates of the Roman Republic, the consuls were proposed by the Senate but elected by popular vote.
9. Patriotic societies were political organizations formed in eighteenth-century Netherlands in opposition to the hereditary stadholdership of the House of Orange. The Enkhuysen society was in the town of that name, located on the Zuider Zee in the province of North Holland.
10. caggs: kegs.
11. For Col. Jacob Dircks' latest request to WL for aid see Jacob Gerhard Dircks to WL, Aug. 29, 1783.
12. There is no evidence Dircks led WL to believe this. See WL to Henry Laurens, Oct. 23, 1778, 2:472–73. WL may have come to this conclusion from van der Capellen himself. See Baron van der Capellen to WL, July [6] 16, 1779, 3:131–43.
13. For the latest report on the national financial situation see Robert Morris to WL, July 11, 1783.
14. *Magna est veritas et prevalebit*: truth is powerful, and it will prevail.
15. Great Britain's claim to maritime exclusivity was propounded by the jurist John Selden in *Mare Clausum* (1635), written in response to *Mare Liberum* (1608) of Dutch jurist Hugo Grotius, which set forth a theory of the sea open to all nations.

## To John Jay

Trenton 24th November 1783

Dear Sir

Since my letter to Mrs. Jay of the 20th instant,<sup>1</sup> I find myself favoured with yours of the 12th September<sup>2</sup> by Mr. Thaxter<sup>3</sup> who is the bearer of the definitive Treaty. *Finis coronat opus.*<sup>4</sup> The British have first & last given us a [desperate] deal of trouble, but who would have thought not long since that we should so soon have rose superior to it; & with so much glory! You are not an ambitious man, but I think it must be flattering to the most unambitious to hear the Members of Congress ascribe to you such particular merit in the Treaty with Great Britain. Many of them have been very unreserved to me on that subject in conversation. I have written to Sally particularly as to Master Peter, & therefore refer you to that letter as to what respects my dear & only grandson.<sup>5</sup>

I thank you for the seeds of the flowering shrub.

I wish you great joy on the birth of Anne, & ardently long to see my two little grand daughters as well as their parents on this side of the Atlantic. God preserve you from such a dreadful passage on your return, as you had in going.<sup>6</sup> I am dear Sir your most humble Servant.

WIL: LIVINGSTON

ALS, NN.

1. Letter not found.
2. See John Jay to WL, Sept. 12, 1783.
3. John Thaxter, Jr.
4. *Finis coronat opus*: the end crowns the work.
5. Letter not found.
6. For an account of the Jay mission's voyage to Spain see Sarah Jay to WL, Dec. 30, 1779, 3:285–88.

## To George Clinton

Trenton 28th, November 1783

Sir

I most heartily congratulate your Excellency on your late plenary possession of your Metropolis; & the final ouster of the late unwelcome & formidable Detainers.<sup>1</sup>

The Bearer the Baron de Pollnitz is recommended to me as a Gentleman of a very considerable fortune who has brought his Ladys family into these States with an intention of settling in this Country, & wishes to purchase in the State of New York.<sup>2</sup> If in this or any other matter it be in your Excellency's power to facilitate his intentions, it will greatly oblige your Excellency's most humble & obedient Servant

WIL: LIVINGSTON

ALS, NN.

1. American soldiers took possession of New York City after 1 P.M. on Tuesday, November 25, following the departure of the British. The soldiers were followed by George Washington and New York Governor George Clinton, who hosted a dinner that night at Fraunces Tavern (*Pa. Packet*, Dec. 2, 1781).

2. Baron Friedrich von Poellnitz, who settled in New York, was an amateur inventor of farm implements (Fitzpatrick, *Writings of Washington*, 30:485–86).

## To George Washington

Trenton, 6 December, 1783

The Address of the GOVERNOR, COUNCIL and  
GENERAL ASSEMBLY of the State  
of NEW JERSEY to his Excellency  
GENERAL WASHINGTON.

Sir,

WE should think ourselves highly inexcusable, did we neglect this opportunity, of congratulating your Excellency on your arrival in this town,<sup>1</sup> the present residence of the Legislature of this State; and a town which you, Sir, have rendered famous to the latest posterity, by the

most unexampled efforts of military genius; and your signal victory over an enemy<sup>2</sup> till then, through the great superiority of their numbers, the triumphant possessors of this part of the country.

With the profoundest gratitude, we adore that all-wise and most gracious Providence, which, originally intending our ultimate triumph over a very powerful enemy, and the complete establishment of our national independence, supernaturally influenced the united hearts of America to the unanimous choice of your Excellency, as the Generalissimo of her Armies. To the heaven-directed wisdom of that election, succeeding ages will bear testimony, when they revolve those faithful pages of history, which will immortalize the innumerable hardships you have endured; the almost insuperable obstacles you have surmounted; the numerous disappointments to which you have risen superior, and the infinite resources of your genius in the most unexpected and trying emergencies. Nor has the direction of Heaven been less conspicuous in preserving in the citizens of America, such an unanimity of sentiment respecting your abilities and conduct, as they would probably not have concurred in with respect to any other person on the continent. This, Sir, is no flattery,—fact is fiction, and sacred truth is empty compliment.

May Heaven reward your vigorous and unremitting exertions in the glorious cause of liberty, and your most important instrumentality in preserving your country from the subjugation and bondage lately meditated against it. May you long live beloved by a grateful nation, and may the brave and meritorious army, which under your command and the smiles of Heaven, has so essentially contributed to the establishment of our independence, and the national glory of these States, be never forgotten—be honestly, be generously rewarded.

While heroes and warriors are dazzled with the lustre of your martial achievements, the citizen and the patriot will remember your particular attention to the rights of the subject, too often wantonly violated by military men.

May your Excellency long enjoy, amidst that domestic happiness, which for a course of years you have so generously sacrificed to the public weal, the heart-felt felicity naturally resulting from the recollection of the illustrious part you have acted on the theatre of our arduous conflict, and of your important agency in raising a nation from the verge of slavery, to the summit of glory. May you be finally translated from this

state militant, to that blissful region which will eternally exclude all contention and war.

WIL: LIVINGSTON  
EPHRAIM HARRIS

LBC, MH.

1. After a brief stop in Trenton, Washington continued southward, stopping at Philadelphia on December 9, Wilmington and Baltimore on December 18, and Annapolis on December 20, where he addressed Congress and resigned his commission. Refer to Fitzpatrick, *Writings of Washington*, 27:262–85. Congress had convened at Annapolis on Dec. 13, 1783, after its removal from Philadelphia to Princeton on June 30, 1783. See Elias Boudinot to WL, June 23, 1783. Washington reached Mount Vernon on Dec. 28, 1783.

2. Washington's successful assault upon the Hessians at Trenton took place on Dec. 26, 1776. See 1:195.



*“A right to publish”  
Changing Definitions of  
Freedom of the Press*

*December 11, 1783—  
August 23, 1784*

The principle of freedom of the press was by the mid-1780s, still being interpreted and modified. In England’s American colonies, a precedent for free criticism of the government was established in 1734 by Philadelphia attorney Andrew Hamilton. In his defense of the New York printer John Peter Zenger, who was charged with seditious libel, Hamilton argued that his client was not guilty because Zenger had printed the truth in his vicious attacks on Gov. William Cosby that appeared in Zenger’s newspaper the *New York Weekly Journal*. “*To make a writing a libel,*” Hamilton insisted, “it must be *false.*”<sup>1</sup> Ignoring English precedent of more than one hundred years, the New York jury, whose members hated the corrupt governor, agreed and found Zenger not guilty.

Although the Zenger decision has often been hailed as a landmark, it actually did little to alter the long-standing English view that a person was guilty of libel if he directed written criticism at an individual or the government. He was also guilty of sedition if he directed his criticism at the government. Despite the Zenger trial, even after 1734 the fact that the statement in question was true did not excuse either libel or sedition. In fact, truth rendered the material more offensive.

At mid-century, this somewhat limited view of freedom of the press was accepted by most libertarian thinkers. Freedom of the press, as defined by Blackstone, consisted solely in laying “no previous restraints

upon publications, and not in freedom from censure for criminal matter when published.”<sup>2</sup> Once the material appeared in print a printer or author could be held accountable for what was published. The subtle distinction between freedom and license was accepted by William Livingston, along with other American thinkers of the time. In 1753 Livingston published in the *Independent Reflector* an essay, “Of the Use, Abuse and Liberty of the Press.” In his piece Livingston noted that although a printer was obliged to publish divergent opinions as long as they were “conducive of general Utility,” he should not publish “any Thing injurious to his Country.” This, Livingston believed, was “criminal,—It is high Treason against the State. The usual Alarm rung in such Cases, the Common Cry of an Attack upon the LIBERTY OF THE PRESS, is groundless and trifling. The Press neither has, nor can have such a Liberty. . . .”<sup>3</sup>

Livingston’s interpretation was accepted in England and America throughout most of the eighteenth century. Those who wrote or published seditious or libelous material were held accountable whether what they wrote was true or not. Despite the law, written criticism of government persisted among colonials, particularly during the 1760s following British attempts to centralize governmental authority. The 1765 Stamp Act prompted such members of the colonial elite as William Livingston to inform the public of their rights as British subjects. Provincial revolutionaries denied that their own criticism of the British government constituted seditious libel by claiming as justification that that government was corrupt.

At the same time that patriots believed it was permissible to criticize a bad government, they continued to believe that written or oral criticism of a good government was seditious. This was seen during the war when freedom of the press existed for Whig printers with the accepted Blackstonian limitations but the Loyalist press was ruthlessly suppressed. Livingston, as a wartime governor who defined his own government as good, likewise subscribed to the idea that it was criminal to publish criticism of either himself as governor or of the existing government in New Jersey. So much was evident in 1779 when New Jersey’s official printer Isaac Collins published an anonymous attack by “Cincinnatus” on the governor in the October 27 issue of the *New Jersey Gazette*.<sup>4</sup> Livingston, appalled by the attack, concluded that Collins had not published “the Libel from any private animosity against me,” but rather because of Collins’ latent loyalism. He speculated that a “real

Whig, & one so particularly acquainted as he [Collins] is with my unremitted Application to serve the public,"<sup>5</sup> would never have published the piece in question.

Despite Livingston's demands to reveal the author's name, Collins, determined to preserve his right to publish what he pleased, refused. In this stand he was backed by the assembly who thus set an early precedent in New Jersey for freedom of the press. Two years later Collins was still suffering from the effects of Livingston's wrath. On Mar. 6, 1781, the printer addressed a letter to the governor referring to "an unfortunate publication" that caused a breach between them. Collins apologized for the incident but made no move to reveal the author's name and concluded that he had "ever maintained a sovereign Respect for the Freedom of the Press. . . ."<sup>6</sup>

As governor, Livingston's anger at Collins was prompted largely by his perceived necessity of stifling criticism during wartime. As an individual, Livingston nevertheless sincerely believed in a free press that supplied republican society with the information it needed to be self-governing. Despite Livingston's support of a free press in the 1770s, he and most republicans still adhered to the traditional view that truth was no defense against libel and criticism of a good government was sedition. While Livingston continued to believe in the latter, in 1784 he abandoned his former position concerning truth and libel. He was spurred perhaps by his hatred of and animosity toward his inveterate political enemy Samuel Tucker.

Tucker mounted significant assembly pressure against Livingston's 1783 bid for reelection. Perhaps in retaliation, Livingston on Feb. 24, 1784, published an attack on Tucker in the pages of the *New Jersey Gazette*. Writing under the pseudonym "Scipio," Livingston raked up an eight-year-old scandal involving Tucker. In 1776 Tucker, serving as treasurer of the Continental Congress and as a supreme court judge of New Jersey, had permitted a chest containing papers and money to fall into British hands. Tucker thereupon accepted British protection, which prompted suspicions of his complicity in the theft.

In his "Scipio" piece, Livingston demanded that Tucker give the public an accounting of the money that had been stolen. Livingston, fearing the already excessive power of the assembly, urged that the legislature not be permitted to investigate the incident. It should instead be left to the judiciary. He warned that if the assembly were permitted to persist in "a matter that clearly belongs to the *judicial* branch," it would be

“dangerous to our liberties,” since it represented “an encroachment upon that branch [the judiciary] by the *legislative*.”<sup>7</sup>

Tucker was infuriated by the attack and wrote an indignant letter to the *Gazette* in which he cautioned that writing and publishing anonymous essays would “turn the liberty of the press into licentiousness.” Tucker denied “Scipio’s” charges and demanded that the author “give up your real name. . . .”<sup>8</sup> Collins, who bore the brunt of Tucker’s indignation, told Livingston that most people agreed with Tucker’s position that authors who attacked another “man’s public or private Character” should identify themselves. Collins requested that Livingston “explain the Matter.”<sup>9</sup>

Livingston, ignoring his own inconsistency in previously having demanded that Collins reveal the name of an anonymous critic, complied as “Scipio” in a series of five essays. In these essays, he defended the need for anonymity in criticizing public officials and ridiculed Tucker for demanding that authors reveal their names. He then defined his own position on the liberty of the press. He pointed out the importance of the press in a republican society. As he noted, “the press . . . is the easiest channel that can be contrived, through which to communicate to the people the danger to which they are exposed; to shew them that they are, and how they are, imposed upon by those who betray their confidence; and by these means to unite them in removing the grievance, and procuring themselves justice.” He added that “the idea of freedom” was closely tied with the “right to publish the conduct of . . . superiors.” He then went on to attack “the doctrine laid down in the laws of England” that rejected truth as a defense against libel. As Livingston pointed out, “according to their [English] law, every literary production, affecting a man’s character, is the more heinous for being true.” He smugly suggested that perhaps “the superior illuminations of the Americans concerning the unalienable rights of human nature, will, ere long, make their late masters emerge from their gothick barbarism” to accept the defense of truth.<sup>10</sup>

In his advocacy of truth as a defense, Livingston, consciously or not, was using the precedent established by Andrew Hamilton in his defense of John Peter Zenger. In this he was in agreement with many other American libertarian thinkers, who by the 1780s, agreed that truth was an adequate defense against libel. Nevertheless Blackstone’s interpretation of accountability was still accepted even to the time the First Amendment was adopted.

Despite Livingston's jibe, by 1792, with the passage of Fox's libel law, libertarian thinking in Great Britain had advanced substantially beyond that in the United States. The jury was now permitted to evaluate the law and the fact of the case. In addition, by 1793 many English reformers argued that there should be absolute freedom of discussion and that sedition, like treason, consisted only of overt acts.

Change regarding seditious writing came more slowly in the United States, where libertarian thought remained fairly static on this issue until the turn of the nineteenth century. In 1798 the Sedition Act gave formal legal backing to Andrew Hamilton's opinion that a statement could not be libelous if true. In addition, the Federalist-sponsored act, which made it a crime to publish "any false, scandalous republican malicious writing . . . against the government of the United States,"<sup>11</sup> prompted a Republican backlash. With Fox's libel act as a model, Blackstone was abandoned in America for a new and more liberal interpretation of freedom of the press. Sedition in America would no longer be considered treason. Only direct acts would be seen as a threat to the government.

In formulating new standards to govern the press, Americans came to the realization that opinions, whether published or otherwise, would not endanger a republican government. The new attitude toward the press reflected the libertarian ideals held by William Livingston and others in the 1780s. Their efforts guaranteed that the press in the United States would have access to information, and was free to print without fear of official reprisal and without prior restraint.

1. James Alexander, *A Brief Narrative of the Case and Trial of John Peter Zenger*, ed. Stanley Nider Katz (Cambridge, Mass., 1963), 72.

2. Sir William Blackstone, *Commentaries on the Laws of England*, 7th ed. (Oxford, 1765–1769), 4:151–52.

3. Klein, *Independent Reflector*, 341–42.

4. Vol. 3:183–86.

5. WL to William Churchill Houston, Dec. 13, 1779, 3:262–64.

6. Isaac Collins to WL, Mar. 6, 1781, vol. 4:154–56.

7. "Scipio," [Feb. 24, 1784].

8. Samuel Tucker to "Scipio," Feb. 26, 1784.

9. Isaac Collins to WL, Mar. 2, 1784

10. "Scipio," [Mar. 30, 1784].

11. *Debates and Proceedings in the Congress of the United States, 1789–1824* (Washington, D.C., 1834–1856), 5th Congress, 3776–77.

## To Hector St. John de Crèvecoeur

Trenton [11th or 19th] December 1783

Sir

I have now to acknowledge the receipt of your very polite Letter of the 26th last,<sup>1</sup> on the subject of which I have the honor to transmit you a Resolution of the Assembly of this State of the 10th Instant<sup>2</sup> requesting me to acquaint you that—"the House entertains a grateful sense of His Most Christian Majesty's attachment to the United States of America, & of the particular regard he hath Manifested for this State, in the generous offer mentioned in your letter, and am greatly obliged to you for the polite manner in which you have communicated the same; and to assure you that whenever this State have formed an Establishment of a Botanical Garden, His Most Christian Majesty's Gracious offer will be Gratefully accepted."

In my [own?] Name, Sir, I congratulate you on the appointment with which the King has been pleased to Honor you,<sup>3</sup> and on your safe arrival in America.

Ley, DLC:Kunkel.

1. In his letter of Nov. 26, 1783, de Crèvecoeur told WL he brought seeds from more than five hundred plants that botanists in France believed would thrive in New Jersey. He urged WL to establish a botanical garden in the state. He conveyed the promise of Louis XVI to supply WL "from his Royal Gardens [with] every specie of Seeds and Plants that the Director of the Botanical Garden in New Jersey may wish to have." De Crèvecoeur assured the governor that WL's "Character in Europe stands on the firm basis of American Virtue" (DLC:Kunkel).

2. Refer to *General Assembly*, Oct. 28–Dec. 24, 1783.

3. Louis XVI had appointed de Crèvecoeur consul to New Jersey.

## To Peter Augustus Jay

Trenton 12 December 1783

My dear Peter Jay

I have already sent you an answer to your dear little letter,<sup>1</sup> but to encourage you the more to send me another, I write this. Pray my little darling, send me another letter as soon as possible.

I hope that when you was in the Church in New York, & the Minister prayed for King George,<sup>2</sup> that you shooke your head, as much as to say that you did not like it. It was right in those people to pray for their king, because he is *their* king; but you not thinking of that, & being a good Whig, have got great honour by shaking your head, & grand papa is always pleased when his dear little Peter gets honour.

Pray stick close to your writing, & if you do, you will soon be fit to be Grand papa's Secretary. Tell grand mamma that I advanced the Servant whom I sent her three dollars which must be deducted from his wages. And tell Aunt Sukey & Aunt Caty<sup>3</sup> that I hope they will spare no pains to teach you to write a good hand. I am my dear P. your affectionate Grandfather

WIL: LIVINGSTON

ALS, NNC.

1. Peter's letter of Nov. 30, 1783, has not been found. Refer to WL to Peter Jay, Dec. 6, 1783 (NNC), for earlier mention of this letter.

2. Frederick Jay had taken Peter to New York City for several weeks just prior to the British evacuation on Nov. 25, 1783. Refer to Morris, *Unpublished Papers of John Jay*, 2:636–39, 653–54. Peter may have attended St. Mark's in the Bowery, in which the Jay family worshiped prior to the Revolution. Refer to Morris, *Unpublished Papers of John Jay*, 2:213n.

3. WL's daughters, Susannah and Catharine.

## Commission to George Morgan

December 18, 1783

The State of New Jersey

To Colonel George Morgan Esquire. Greeting

The Legislature reposing especial Trust and Confidence in your Integrity prudence and ability Have appointed you the Said George Morgan Agent of this State for the express purpose of preparing and Presenting to Congress a Memorial or petition on the part and behalf of this State *setting forth the great inconveniences the Proprietors of the Tract of Land on the River Obio called Indiana labours under, by the said Tract of Land being detained from them by the Commonwealth of Virginia.*<sup>1</sup> To [ . . . ] a hearing & to prosecute the said hearing to inquire in the mode pointed out by the Articles of the Confederation. You are therefore by these Presents commissioned to be Agent for this State for the purposes above mentioned.

In Testimony whereof I have caused the Great Seal of the Said State to be 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 at Trenton the eighteenth day of December in the year of our Lord one thousand seven hundred & eighty three & of our independence the eighth.

WIL: LIVINGSTON  
BOWES REED

Lcy, DNA:PCC, 42, 5.

1. On Sept. 13, 1783, a congressional committee recommended acceptance of Virginia's conditional cession of land northwest of the Ohio River. New Jersey and Maryland refused to accept Virginia's proposal because Virginia had declared void the claims of land companies in its western territory between the Allegheny Mountains and the Ohio River. New Jersey commissioned Morgan to present the Indiana Company's objections to the Virginia plan to Congress (*JCC*:559–64; Boyd, *Papers of Thomas Jefferson*, 6:414–15). Morgan's petition dated Feb. 26, 1784, was presented to Congress on Mar. 1, 1784, but Congress accepted the Virginia cession on the same day (*JCC*, 26:110–17 and DNA:PCC, 42, 5).

### To John Dickinson

Trenton 22nd December 1783

Sir

I have been honoured with your Excellency's letter of the 10th instant,<sup>1</sup> which I read in Council, and urged the justice of your demand as what appeared to me, unquestionable. But not finding the least prospect of having the matter taken up at present by the Legislature, I conceived it altogether fruitless to communicate it to the other House.<sup>2</sup> Being informed that Mr. Houston<sup>3</sup> had been applied to on the subject, I called upon him for farther information. He tells me that your demand was made in due time; & that he apprehends no danger of your recovering the debt. I have however since learnt from the Chief Justice,<sup>4</sup> that there are causes depending in our Courts upon this point, whether, on the confiscation Act, mortgagees are to be preferred to other creditors, as being legally intitled to the lands upon the non-payment of the money, as well as in equity against all redemption, save upon the payment of principal & interest; or whether they can only come in for a

proportionable share with other Creditors under the description of those who have any demands against the person whose estate has been confiscated. This to me appears contrary to every principle of Law I ever met with on the subject. But it is said that the Act of Assembly upon which the doubt arises, affords but too much room for the question. As Mr. Houston has been applied to upon the occasion either by your Excellency or General Dickinson,<sup>5</sup> I suppose he will be best able to give you a circumstantial account of the present state of your case as well with relation to Law as Fact, & to advise what are the most proper steps to be taken in it. With the greatest Esteem I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, PHi.

1. Letter not found.
2. The records of the Legislative Council make no reference to this letter.
3. William C. Houston was clerk of the New Jersey supreme court in 1783.
4. David Brearley.
5. Philemon Dickinson.

From Thomas Mifflin

Annapolis, December 24th, 1783

Sir

I had the honor to write to your Excellency on the 23rd November<sup>1</sup> informing you that the definitive Treaty was arrived,<sup>2</sup> & that the last article of it declares that it should be ratified & exchanged within Six months from its Signature.

Yesterday I again writ to your Excellency by order of Congress informing you that only Seven States were represented in Congress viz. Massachusetts, Rhode Island, Pennsylvania, Delaware, Maryland, Virginia & North Carolina, and that the ratification of the definitive Treaty & several other Matters of the greatest consequence were delayed by want of a representation of Nine States. My letter of yesterday was forwarded by the Post, but as Congress are strongly impressed with an Apprehension that the time mentioned in the definitive Treaty will elapse before a representation of nine States can be obtained, and as such a representation cannot take place unless New Jersey & Con-

necticut send on their Delegates, they have instructed me to write to you by Express, & to urge in the strongest terms the importance of an immediate representation in Congress from the State of New Jersey.<sup>3</sup> Let me therefore entreat your Excellency to use your Influence on this important point, that the consequences to be expected from the want of an immediate representation of nine States may not be imputable to your State, which on every former Occasion has exerted itself with so much honor and reputation.

New Hampshire has but one Member attending, & there is no probability of a representation of that State in less than Six Weeks.

New York has no delegates in Congress nor can it be represented in many weeks. South Carolina has one member attending; one of the Delegates from that State is in ill health at Philadelphia, his attendance uncertain.

By letters from Georgia we find there is no probability of a representation from thence this Winter. From this view of our Situation your Excellency will observe that the Ratification of the definitive Treaty in proper time, depends upon the immediate exertions of New Jersey & Connecticut.

I should be glad to know from your Excellency by the return of this express, at what time we may expect a representation from your State. I have the honor to be with the highest respect & Esteem, Your Excellency's obedient & humble Servant

THOMAS MIFFLIN

N.B. Near 4 months have elapsed since the Definitive Treaty was signed, & the ratifications are to be exchanged *in Paris*, within Six months.

ALS, Nj. This letter is printed in Burnett, *Letters*, 7:395–96.

1. Refer to Burnett, *Letters*, 7:377.

2. The definitive peace treaty had been signed Sept. 10, 1783, at Passy (Wharton, *Revolutionary Diplomatic Correspondence*, 6:669–70; *JCC*, 25:812).

3. On Nov. 6, 1783, the New Jersey Legislature elected John Beatty, Silas Condict, Samuel Dick, Jonathan Elmer, and John Stevens as delegates to Congress (*JCC*, 26:16–17).

## From Charles Douglas

[ . . . ] at Sandy Hook January 5th; 1784

Sir

On the 31st Ultimo, Six Seamen, being all Volunteers, ran away with the Long Boat of this His Brittanic Majesty's Ship and that atrocious Act, to my unspeakable sorrow, occasioned the loss of the valuable Lives, on the Jersey Shore, of her first Lieutenant, her Lieutenant of Marines, Eleven Midshipmen, and one Able Seamen; who went in pursuit of those unprincipled Miscreants who all landed in safety.<sup>1</sup> Nor has the Boat received any considerable damage, altho' we have not yet been able, to get her off, because of the setting in of the Ice upon that Shore: and as I am under the necessity of forthwith leaving this road (for Barbadoes, and from thence, in the beginning of summer to Nova Scotia, where I have the Honor to be appointed Commander in Chief of the Naval department) I have to request, that your Excellency may be pleased, to give such directions, as you may judge proper for her preservation; and for her being made forth coming when demanded to Mr. Thomas Blane of New York:<sup>2</sup> to the end that he may send her to Halifax at a more favorable Season. To whom I shall give Authority to pay such reasonable Charges, as may be incurred by any Person or Persons in so doing. In taking this liberty, I can assure you Sir, that I am in the strictest sense doing as I would be done by—and that I am Your Excellency's most obedient humble Servant

CHS. DOUGLAS

P.S. It being the interest of every Government upon Earth, to discountenance those who perpetrate Crimes; to what Nation soever belonging; I send your Excellency the adjoined List<sup>3</sup> of the names of the Wretches alluded to in the foregoing; as you may possibly judge it expedient, to make publication thereof through out the State of New Jersey: to the end that they; being possibly thereby made known; may be discountenanced, shunned and treated with the Contempt they deserve. Being under such Excruciating anguish of mind, as to be unable to do more

with my [ . . . ] to sign my name [ . . . ] I am persuaded [ . . . ] excuse my having [to] address you in the [hand written?] [ . . . ] Amanuensis.

ALS, MHi.

1. Douglas's fleet was en route to Halifax from New York. On Dec. 30, 1783, as they passed Sandy Hook, six men jumped ship and escaped in a small boat, pursued in a vessel by thirteen men. The pursuing ship became stranded in a swamp, where twelve men froze to death (*N.J. Gazette*, Jan. 6, 1784).

2. Blane was probably a New York attorney who represented the British admiralty.

3. List not found.

## To Thomas Mifflin

Elizabeth Town 12th January 1784

Sir

I am just now honoured with your Excellency's several letters of the 23d 24th & 26th of December last, together with a Resolution of Congress of the 23d December respecting the necessity of a fuller representation of the States in Congress.<sup>1</sup>

Deeply impressed Sir, with the importance of a compleat representation, & fearing that our Legislature, might thro' the multiplicity of Business, forget to remind our Delegates of the absolute necessity of their attending I wrote a Letter to them on the 22d of December<sup>2</sup> in the name of the State which, after having obtained the consent of the assembly, I immediately transmitted to the [ . . . ] & I hope that in consequence of that solicitation, & from their own disposition to serve their country at this critical juncture, we are before now fully represented in that august Assembly, in which you preside.<sup>3</sup> 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. See Mifflin to WL, Dec. 24, 1783, and refer to Mifflin to WL, Dec. 23, 1783 (Nj), and Dec. 26, 1783 (DNA:PCC 16). Resolution not found.

2. Letter not found.

3. The first New Jersey delegate to arrive in Annapolis on Jan. 13, 1784, was John Beatty (*JCC*, 26: 16–17).

## To David Forman

Elizabeth Town January 17th, 1784

Sir

The enclosed is a copy of a letter from Commodore Sir Charles Douglas to me.<sup>1</sup> Since we are now at peace with Great Britain I dare say it is your wish as well as mine that every State in the Union (notwithstanding their scandalous cruelties during the late War which will doubtless prevent us from loving them) should in a public capacity act towards them agreeably to the laws of nations; and not draw upon us a national reproach for the sake of gratifying a vindictive disposition.

I would therefore in order to convince that gentleman that the Americans can be as obliging in peace, as they have been brave in war, do every thing in my power to save that part of his Master's property which is the subject of his letter.

But not knowing any person in that part of the Country in whom I can put such confidence, shall I beg the favor of you Sir, whose acquaintance in those parts is very general, to give the necessary directions about saving the long boat to some person in that neighbourhood in whom you think you [can?] confide. You may order it to be done as by my direction, but he is to look for his pay to the person pointed out by the Commodore; and I think he need not scruple to rely on the honor and Integrity of Sir Charles Douglas. I am ready to make a thousand apologies for desiring you to take this trouble upon you; but as I really cannot devise a more promising way of preserving the boat than by recommending the matter to your discretion, I hope you will excuse the freedom taking by Sir your most humble & most obedient Servant

WIL: LIVINGSTON

ALS, Cty.

1. See Charles Douglas to WL, Jan. 5, 1784.

## To James Duane

Elizabeth Town 30th January 1784

Dear Sir

My son Brockholst lately acquainted me<sup>1</sup> that he was told by Mr. Thomas Smith that now was the proper time for the Creditors of Mr. William Bayard to apply for the payment of their debts out of his confiscated Estate<sup>2</sup> & that he would advise me to draw out my costs, in this cause in which I was concerned for him, together with you & him self, against Mr. Apthorp.<sup>3</sup> I am much obliged to Mr. Smith for giving me this hint; & I shall be still more obliged to you & him for taking the trouble of affixing the sums to the several articles in my Bills of cost which I take the liberty to inclose you for that purpose. I am sure I am right in my entries as to facts, but I have utterly forgot the stated allowances for the respective services, & can by no means possess myself of the Countings or number of folios, it is impossible for me, Without your assistance, to complete my bills. When you have settled the sum due to me according to strict Justice between your state & me, in which I would rather have you err in pounds in favour of the former, than to charge one farthing too much for the latter, my son will copy the Bills according to your settlement; & then I shall be obliged to you for your information what farther steps are to be taken by me for the recovery of the money.

I find by my Entries that you & I were concerned in the case of White against Williamson in the Chancery of New Jersey, & also in the case of James Jackson [&] Dan Thomas Williams & others [ . . . ] John Van Renssler Esquire in Error, in which it would probably be for both our interests to draw out the costs as soon as possible, and I should be glad to have your opinion on this Subject as soon as your leisure will permit, with a draft of your Bill in the cause, in which I believe I have made but very imperfect Entries. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NH*i*.

1. Refer to Henry Brockholst Livingston to WL, Jan. 17, 1784 (MH*i*).

2. For the most recent reference to confiscation of the Bayard estate see WL to Baron von Steuben, Nov. 7, 1783.

3. This probably refers to a chancery case between Bayard and Charles Ward Apthorpe (*Bayard v. Aptborpe*, filed in chancery of New York, Mar. 17, 1769, New York County Clerk Office #B.M.607B; Smith, *Historical Memoirs*, 1:57, 140, 153; New York County Clerk's Office, *Chancery Minutes* [Apr. 5, 1770–Jan. 9, 1776], 17, 20, 28, 48, 94).

## To Philip Schuyler

Elizabeth Town 6th February 1784

Dear Sir

I scarcely know what apology to make for desiring of you a certain favor by which you would greatly oblige me, because I can place a perfect confidence in your honour & integrity, & am acquainted with but few persons in your part of the Country. But should it be either inconvenient to you, on account of your business, or for any other reason disagreeable, you may depend upon it Sir, that I shall take no umbrage at your declining it; but shall in that case think myself under particular obligation to you for recommending me, to some other Gentleman in Albany, who you imagine will undertake that kind office for me, & discharge it with fidelity. The favour I would ask of you, is to sell for me my interest in the patent of Oriskenie, which consists of an undivided tenth part of that Patent.<sup>1</sup> I Know that great part of the Tract is extremely fertile, & I believe that the whole either is or soon will be, worth more than twenty shillings an acre. But from my remote situation from it; & my wishes to contract my affairs into as narrow a compass as possible, I would dispose of my share at that rate, upon the terms of having half of the consideration money paid in hand, & the remainder in a year after, with legal interest & giving good security. The whole quantity of the Tract is computed at thirty thousand acres.

I cannot conclude this letter without repeating my apology for taking the liberty of requesting this favor of you to which I cannot pretend the least title, & for which nothing but your known readiness to oblige, & our long intimacy, would excuse the freedom taken by Sir your most obedient & very humble Servant

WIL: LIVINGSTON

LS, NN.

1. See Henry Brockholst Livingston to WL, Nov. 11, 1783, for background on WL's

ownership of the Oriskany land. WL still owned 825 acres of the land at his death in 1790. Refer to "Schedule of Lands Belonging to the Estate of William Livingston . . . , 1794" (MHi, 9:1).

## To John Beatty

Elizabethtown, 9th Feb., 1784

Dear Sir,

It was not before yesterday that I received your letter of the 22d of January, enclosing the resolves of Congress of the 15th.<sup>1</sup> What demon of sluggishness has taken possession of the delegates, your colleagues, I know not; but to convince you that I have discharged my duty in my endeavours to exorcise the evil spirit, I have not only wrote to Doctors Dick and Elmer<sup>2</sup> in the most importunate manner, and in the name of the State, before the rising of the Assembly, but have again written to them on the 16th of last month,<sup>3</sup> informing them of the president's letter to me, and of the absolute necessity there was that one of them should attend, to constitute a representation for this State, as Mr. Stevens<sup>4</sup> was unexpectedly prevented from going. I can no more. It has always appeared to me an inscrutable mystery, how men of honour can reconcile it to themselves, voluntarily to accept of a public trust, and be indifferent whether they execute it or not, or at least to suffer themselves to be impeded in the discharge of it by such of their own private affairs as they must needs have known, before they accepted the office, would occur. I am, etc.

WIL: LIVINGSTON

Sedgwick, *Livingston*, 385–86.

1. Refer to John Beatty to WL, Jan. 22, 1784 (MHi), and *JCC*, 26:32–37. Beatty had sent WL a congressional resolution specifying that the interest on loan office certificates dated Sept. 1, 1777 to Mar. 1, 1778, was not subject to depreciation, as claimed by the Pennsylvania Assembly.

2. Samuel Dick and Jonathan Elmer.
3. Letters not found.
4. John Stevens, Sr.

## From John Beatty

Annapolis 10th. February 1784

Sir

By an act of Congress of the 17th February 1784,<sup>1</sup> I find, "That the Legislatures of each State are required to take Measures for effectually obtaining a just & accurate account of the quantity of Land in such State, granted to, or surveyed for any Person; the Number of Buildings thereon (distinguishing Dwelling Houses from other Buildings) and the Number of its Inhabitants (distinguishing white from Black) and to Cause the same to be transmitted to Congress on or before the 1st day of March 1784, in order that a Committee consisting of a member for each State, may take such returns into their Consideration & Make a just & true Estimate of the Value of all the Lands in each of the United States & of the Buildings & improvements thereon—which report when approved by Congress, shall be a rule for adjusting all accounts between the United States & the individual States; And shall also operate for a term, not exceeding five years, as a rule for apportioning on the several States, the sums which Congress shall from time to time require to be raised, for supporting public Credit & Contingent Expenses:" And finding upon Enquiry of the Secretary that no such Documents have come forward from the State of New Jersey I am to request Your Excellency will give me such Information on the Subject, as may have come to your Knowledge; & the reason of the State's not having complied with the terms of the resolution; or if complied with, by what means I may attain the returns.<sup>2</sup>

I am the more anxious on this head, as I conceive N. Jersey has heretofore borne an unequal share of the public Burthen and that proper allowances have not been made for the great devastations, committed on our Lands, Houses & Improvements by the Enemy: and altho I am persuaded Congress cannot proceed; (both for want of Documents, and a sufficient representation on the Floor,) to form even the greater proportion of each State, for the Expenditures of the current year, upon the principles & at the period, defined in this resolution; yet the State of our Finances will require an early Decision as possible on this particu-

lar Branch & I could wish that these returns (if formed) might be placed in the possession of Congress, that recurrence might be had there to, whensoever this Business shall be taken up: And that if no measures shall have been pursued by the State, for this purpose, that your Excellency will be pleased, to hasten a Compliance there with. With sentiments of respect & Esteem, I have the Honour to be your Excellencys most obedient Humble Servant

JNO. BEATTY

ALS, MHi.

1. Congress actually passed this resolution on Feb. 17, 1783 (*JCC*, 24:136–37).
2. For subsequent actions on this issue by both the New Jersey Legislature and Congress see Charles Thomson to WL, Aug. 24, 1785.

### From Thomas Mifflin

Annapolis 20th February 1784

Sir

I think it a duty I owe to the office I am honoured with, as well as to the Union, to inform your Excellency, and thro' you the State over which you preside that the great business of the United States is at a stand; for want of a representation, agreeable to the articles of confederation. The Journal, transmitted by the Secretary to your Excellency and which contains the proceedings of Congress, and an Account of the States and members present from the first Monday of november last to this day, will convince your Excellency of the state of inactivity to which the affairs of the United States have been reduced, for want of a full representation.<sup>1</sup>

At this moment there are many matters of the highest importance to the safety, honour and happiness of the United States, which require immediate Attention. Among these I need only mention the establishing a general peace with the Indians, and settling the Western Territory; the arranging our foreign Affairs, and taking measures for securing our frontiers; preserving our stores and magazines; making requisitions for the expences of the current year; and for satisfying the publick creditors.

I have only to add, that by the sickness of some of the members attending at Annapolis, we have had seven States represented in Congress

*only three days*, since the sixth instant; as your Excellency will observe by the inclosed certificate of the Secretary; and that the members present are dissatisfied with attending to no purpose, and are very impatient under their situation. I am with the greatest Respect your Excellency's most obedient & humble Servant

THOMAS MIFFLIN

LS, MHi.

1. See WL to Thomas Mifflin, Jan. 12, 1784. Until Feb. 25, 1784, John Beatty alone had represented New Jersey in Congress. Beatty participated in discussions and committees, but two or more representatives from each state were necessary to allow the state to cast a vote (*JCC*, 26:97).

“Scipio”<sup>1</sup>

[February 24, 1784]

*To the Printer of the NEW-JERSEY GAZETTE*

SIR,

ONE of the most important advantages that the citizens of these United States expect to reap from our late glorious revolution, is the liberty of freely enquiring into the conduct of men in publick trust; and of freely delivering their sentiments upon all publick measures without fear or constraint. From such investigation, while carried on with decency and temper, no man; or set of men, either are or ought to be exempted; and by such investigation our liberties are more likely to be preserved, and those in publick stations more likely to be kept within the bounds of their duty.

I was not a little surprized on enquiring into the proceedings of our Legislature at their last sitting, to find the Council of this state a second time disappointed by the Assembly, in their resolve of ordering a prosecution against Mr. Tucker for the balance, which, by his own account, appears to be due from him to the state, of monies lately in his hands, as treasurer.<sup>2</sup> That he was possessed of a very considerable sum of money in the above capacity, appears by his own shewing:—That he has never paid it, he admits by his account produced; but the reason he assigns for not paying it is merely supported by his own declaration of a loss or a robbery, which, in a case of this kind, is no evidence at all. The ques-

tion therefore, whether he has been excusably bereft of it, and is in consequence to be forever acquitted against all demands from the state upon that head; or whether on the contrary, he has either criminally pocketed it, or did so negligently keep it as that it must, by his neglect of not taking the proper steps to save it; inevitably fall into the hands of the enemy (in either of which two latter cases he is equally liable to pay it) the citizens of this state have an undoubted right to have *properly* determined. But this matter cannot, as I conceive, be properly or satisfactorily determined, save by a jury of twelve men, in a due course of law. To the institution of such trial, they appear therefore to be clearly entitled; and in the opinion of all judicious and impartial men whose sentiments I have heard on the subject, it is matter of mystery and astonishment that the Council have not been able, after two successive efforts, to obtain the concurrence of the other branch of the Legislature to a resolve so manifestly regular and constitutional, as the one above-mentioned for directing such trial. In a former case of the like nature, when the treasurer of this state, on pretence of a robbery, did not account to the satisfaction of the people for the non-production of the money deposited with him, the very gentleman, if I am rightly informed, who is now so fearful of a similar suit against himself, was then the most zealous advocate for this mode of investigation.<sup>3</sup> It is certainly the only proper and satisfactory, because it is the only legal and constitutional mode of ultimately determining his guilt or innocence. Because wretched indeed would be the condition of the citizens of the state (and such would frequently be our case were the Assemblies the final judges) if upon the strongest presumption, either of downright peculation, or notorious negligence in the treasurer, the delinquent officer should have such an interest in either house, that no legal trial could be procured against him, for want of the joint concurrence of both houses. Wretched indeed, if a matter of such serious importance should be slurred over by a body of men no ways competent to the business of such decision; and with whom, from their unacquaintedness, in contemplation of law, with the nature of evidence, the confident assertions of the accused might pass for proof, and his vociferous nonsense for matter of exculpation. For the Legislature to determine whether, as a point of law, the man in question is responsible for the money committed to his charge, is, I am persuaded, entirely out of their department. It is a matter that clearly belongs to the *judicial* branch; and nothing can be more danger-

ous to our liberties than an encroachment upon that branch by the *legislative*. It may indeed be objected that if it rests with the Assembly to order such prosecution, they ought to have proper reason for so doing; and if so, they being the judges of the reason, may consequently refrain from such order on conceiving the reason alleged for it insufficient for the purpose. But this argument is rather specious than solid. The bare responsibility of the officer for the money's not forth-coming is sufficient for ordering the only legal mode of determining whether he is still a debtor for it to the publick or not. The Assembly's going farther and receiving affidavits, either of the party himself or of any other witnesses in his vindication, and finally determining upon the supposed merits that he is not liable for the case; or what precisely amounts to the same thing, their refusing to join with the Council in directing a trial at law, which is implicatively adjudging him to be innocent, upon such extrajudicial hearing is, in my humble opinion, arrogating to themselves that judicial authority which the constitution has delegated to the courts of justice, and in the determination of which alone the people ought to acquiesce respecting all pecuniary demands of the state against an individual; nay, whenever the probability of recovering against a defendant is as great as it is in the present case, they ought, in justice to themselves, to insist upon it—I say, as it is in the present case, because, though I will not in opinion absolutely judge or condemn any man without a fair trial, yet we may adduce probabilities of a verdict in favour of the state, from what we know of this man's conduct respecting the premises. And I think whoever considers his suffering the money to fall into the hands of the enemy by ridiculously hovering with it about their lines, when he might so easily have saved it by transporting it and himself across the Delaware, which is within a mile of his house; and his invention of the sickness of his family as his inducement to return into the British camp, of which I will undertake to prove the falsehood by his family itself—whoever, I say, considers these matters, not to mention many others equally evincive of his culpability, cannot doubt but the state has probable grounds for a successful trial against him. Indeed, was there no other presumption of his misconduct, at least in point of *negligence*, his extreme aversion to a legal trial, and the perpetual display of his singular oratory in the Assembly, of which he happens to be a member, to avert it, must naturally increase the suspicion. For why should a man who is conscious of his innocence, be under such

excessive terror from an impartial enquiry into this conduct by a jury of his country? Rather, why should not an innocent man, or a man of the least delicacy, earnestly desire the only legal mode of decision that can constitutionally acquit him; that can effectually illustrate his innocence, vindicate his character, satisfy the publick, and completely prevent the further operations of that suspicion which will otherwise eternally rest upon his reputation?

It is therefore ardently wished by all lovers of justice and friends to their country, that the good people of this state would instruct their representatives, before we lose the evidence necessary to convict him of the negligence which is imputed to him, to direct that this gentleman be brought to an impartial trial for the money. If he is really faultless, I sincerely hope that he may be honourably acquitted. If he is legally culpable, the sum in question will be some alleviation to us in the payment of our taxes; and he will certainly have the less reason to complain of an impartial trial by his peers as a delinquent treasurer, considering his own most patriot prosecution, if not persecution of our late treasurer, who every body knows is *an honest man*.

SCIPIO

*N.J. Gazette*, Feb. 24, 1784.

1. The Scipio essays were identified as WL's by Theodore Sedgwick.
2. Samuel Tucker, who opposed WL's reelection as governor in 1783, formerly served as treasurer of the Provincial Congress and as a New Jersey Supreme Court judge. In 1776 a chest containing New Jersey papers and money in Tucker's possession was seized by the British. Tucker's complicity in the theft was suspected when he accepted British protection. After accepting Tucker's resignation as justice, the legislature ordered the confiscation of Tucker's property. For previous mention of the Tucker incident see 1: 205 and 205-6n; 2: 56 and 56-57n.
3. WL is referring to the 1768 theft of £6,500 by New Jersey treasurer Stephen Skinner. For the most recent reference to the Skinner incident see Bond of John Stevens, Jr., and John Stevens, Sr., Oct. 30, 1780, 4: 80.

## To Benjamin Harrison

Elizabeth Town 24 February 1784

Sir

I was not honoured till this very day, with the receipt of your Excellency's Letter of the 25th of December last, inclosing an Act of your

Legislature, “to authorize Congress to adopt certain regulations respecting the British trade.”<sup>1</sup> I regret it Sir, that I had not the Act, during the sitting of our Assembly, which adjourned the same month *sine die*,<sup>2</sup> vesting the Speaker with power to convene them upon any extraordinary emergency. They did however, enter into a spirited resolution on the subject matter of your Act: But as I find that the effect of your Law is suspended upon the precedent condition that all the other States in the Union pass similar *Laws*; I doubt not that the State of New Jersey, as unimportant as it may be, considered in a commercial view, will, for the general good, cheerfully adopt every measure that may be necessary to compel haughty Britain to revoke an order so partial in itself; & so fatal, in its consequences, to the trade & prosperity of this Country.<sup>3</sup>

And now my dear Sir, give me leave to conclude, with most cordially congratulating you, on the happy termination of that war (if [we are?] wise & virtuous enough to improve our success) in which you have been so distinguishingly active; & in that deserved honour conferred upon you by your fellow citizens as the reward of your signal Services in [ . . . ]. With great Respect I have the honour to be your Excellency’s most obedient & most humble Servant

WIL: LIVINGSTON

ALS, NjMoHP.

1. The Virginia act accorded the Continental Congress the authority to treat commercially with Great Britain. Harrison noted that the British hoped to enforce their discriminatory trade regulations against the United States because they were convinced Congress was powerless to compel the states “to form one general System for the whole Union. . . .” Refer to Benjamin Harrison to WL, Dec. 25, 1783 (Nj).

2. The legislature recessed on Dec. 24, 1783, without setting a date to reconvene.

3. On Nov. 4, 1784, the New Jersey Assembly adopted a resolution empowering Congress to forbid the importation of goods produced in the British West Indies in British ships, “or to adopt any other Mode” of counteracting British trade restrictions (*Acts* [Oct. 26–Dec. 24, 1784], 125).

From John Beatty

Annapolis 25th. February 1784

Dear Sir

I had not sealed & dispatched my letter of the 20th. Instant four hours, before your Excellency’s favor of the 9th.<sup>1</sup> reached me; & I have

the pleasure further to Inform you, that yesterday Doctor Dick<sup>2</sup> arrived here, so that New Jersey has this day, a representation on the Floor of Congress.

I must here again apologize for the unfortunate manner in which I have so frequently troubled your Excellency on this Subject and pray you will attribute it; as well to the urgent necessity there is of having the public measures expedited; as the extreme [awkward?], inactive State I was placed in, while here, without a Colleague.

The little Business transacted in Congress for these several weeks past, put it out of my power, to transmit any thing that is new, or interesting—as soon as nine states, appear,<sup>3</sup> we shall fix our attention to arranging our foreign affairs & turning our Western Territory to some advantage in favor of the public Creditors. I look upon the Establishment of our national Credit to be one of the first objects before Congress. The great delay in the States to accede to the Impost & Revenue Acts,<sup>4</sup> must retard & Embarras public measures much; and will I fear occasion Congress to make new & large requisitions of the States, for the Expences of the last & current year; and from the amazing arrearages already due joined to the odious point of light in which Taxes in the ordinary way, are now generally behind; this mode does not promise us, either as speedy or effectual a Revenue as the clamorous demands of the public Creditors would seem to require.

I could not refrain from Laughter at the singular *group of* worthies you represent the village of Elizabeth to consist of: but sensible of the justness of the observation, I was soon led, to reflect on your Situation, as solitary indeed; where no agreeable Companion could be found, to participate in that social Happiness, which ever results from your Company; & in the Communication of which, I well know, your highest gratification consists.

Duty, as well as inclination, will always prompt me to continue your Correspondent; and whether [Laws?], poloticks, or domestic occurrences be my Subject; I rely on your obliging Disposition and Friendship for an answer. With my most respectful Compliments to Mrs. Livingston & the Family, I have the Honour to be your Excellency's most Obedient Humble Servant

JNO. BEATTY

ALS, MHi.

1. See WL to John Beatty, Feb. 9, 1784, and refer to John Beatty to WL, Feb. 20, 1784 (MHi).

2. Samuel Dick.

3. On Feb. 25, 1784, the eight states fully represented in Congress were Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Virginia, North Carolina, and South Carolina.

4. On Apr. 18, 1783, the Continental Congress requested that the states vest the Congress with the power to levy import duties for a period of 25 years. The proceeds from the revenue were to be used to pay the interest on the war debt. In addition to import duties, Congress also asked for the right to impose taxes and further recommended that states abandon their claims to western lands (*JCC*, 24:257–61). New Jersey rightly believed the measure, which required the approval of all 13 states, would never be approved. Consequently, on Dec. 20, 1783, the legislature passed an act to pay Continental creditors directly. The act specified that no money was to be paid to the Continental Congress. New Jersey's refusal to turn money over to Congress was based on the fact that other states retained incomes from western lands and duties which properly belonged to Congress (*Acts* [Oct. 28, 1783–Dec. 24, 1783], 44–57).

## From Samuel Tucker

Trenton, February 26, 1784

YOUR publication in Mr. Collins's last week's Gazette of the 24th February, 1784,<sup>1</sup> is one among the many publications under anonymous signatures calculated to injure me in the minds of the citizens of this state in general, and those of the county of Hunterdon in particular, all of which I have passed by with that neglect and scorn they deserved; but your performance is so replete with falsehoods, that their consequences may have a tendency to wound the fairest characters, and turn the liberty of the press into licentiousness. I therefore, in this publick manner, deny your charges, and call upon you to avow your publication, give up your real name, that I may know who I have to contend with, and I will then (as I have already laid the same before the Legislature) publish the real state of my conduct, supported by undeniable testimony, by which I shall exculpate the Honorable Members of Assembly from those illiberal reflections you have so unjustly cast upon them, and which, I apprehend, will justify my conduct in the opinion of every good man respecting the loss of the publick (unsigned, intended to be) money by its being taken by the enemy, in December, One Thousand Seven Hundred and Seventy six. Come forth Scipio, give up your name, and I will

dissect your performance, and hold you up to the publick in your true colours.

SAMUEL TUCKER.

*N. J. Gazette*, Mar. 2, 1784.

1. See "Scipio," [Feb. 24 1784].

## Petition of Joshua Baker

Burlington Goal February the 28 1784

To the Governor and Commander in Chief of this State his Excellency  
William Livingston Esquire

The Petition of Joshua Baker

Humbly Sheweth That your Petitioner has been a long time in Confinement, in the Common Goal of Burlington, on Suspicion of Action in this Unhappy Contest between Great Britain and America. In Obedience, to your Excellency, I have Concur with several officers and Gentlemen, they think to the Preliminary of peace and the Definitive Treaty Signed between his Britannic Majesty, and the United States, they all think that I am Clear by the Said Treaty, and that all State Prisoners should be Seat at Liberty, by the Said Articles.<sup>1</sup> But here I lay in this disagreeable place, without Money or friends for I know not what, But in Obedience to your Excellency Submission, Humbly Request, that your Honour, would take my unhappy Situation into Consideration, and afford me that Relief, that you in your Wisdom Shall See Meet?, and as you are the fountain and Guardian Our Religious and Civil Rights; Streams pure and uncorrupted may Perpetually flow, which Shall make Glad and Rejoice, the heart of your Most Obedient and very Humble Servant

JOSHUA BAKER

ADS, MHi.

1. The definitive peace treaty provided in the seventh article that "All Prisoners on both Sides shall be set at Liberty. . . ." Except for a small body of Hessian troops, the exchange of British and American prisoners had been completed by July 1, 1783 (Fitzpatrick, *Writings of Washington*, 27:41–42). Baker was apparently held as a civil prisoner. For incidents that kept animosities high see WL to Sir Guy Carleton, Aug. 10, 1782, 4:448–51.

## From Isaac Collins

Trenton, [March 2, 1784]

Respected Friend,

Your Letters of the 20th & 21st ultimo<sup>1</sup> are received. Mr. T. has called upon me for the author of *Scipio*.<sup>2</sup> I have refused him. You will see his Demand upon *Scipio* in this Day's Gazette. Mr. T. is now declaiming against the Abuse of the Press, saying that no anonymous Author has a legal Right to attack any man's publick or private Character without leaving his Name with the Printer—and this Doctrine is swallowed pretty generally here by his advocates. The People at large want Information on this Head, and I must beg the Favor of you to explain the Matter.

I Know the Governor is intitled to three or four Copies of the Laws, but as there was some Doubt of the safe arrival of Packets, I thought it was best to postpone sending them forward, and meant to deliver them when the Governor came to Trenton—but if it is his Desire they should be sent by the Stage, it shall be done on the first Notice. I am, with great Respect, the Governor's obliged etc.

ISAAC COLLINS

ALS, MHi.

1. Letters not found.
2. See "Scipio," [Feb. 24, 1784] and Tucker's letter of Feb. 26, 1784.

## "Scipio"

[March 2, 1784]

*To the Printer of the NEW-JERSEY GAZETTE*

SIR,

THE exemplary punishment of personal dishonesty, and the strict observance of publick faith, are so absolutely necessary to the emolument of every community, that whatever society is deficient in these grand essentials to national prosperity, must make rapid strides to final declension and ruin. Men of integrity will desert a country in which they find

their property a prey to private knavery; and cannot depend, from the repeated violations of it, upon the most solemnly-plighted faith of the publick.

I shall make no observations at present upon the frequent subterfuges that have been made by publick [ . . . ] virtuous citizens, who, in the most disastrous periods of our late conflict with Britain, have liberally opened their purses to save their bleeding country from impending vassalage. I hope such reflections may be suppressed in all the future histories of the American contest for independence, or they will throw a deep and dismal shade over the lustre of the most glorious of our achievements. I shall confine myself in this essay to the shock that is given to private credit, by what I think very injudicious laws, and the injustice thence accruing to the honest creditor, without having any other operation with respect to the poor in general, than that of preventing every monied man from trusting them at all.

Tho' we have the highest reason to detest Great-Britain to the last moment of our existence, for her abominable iniquity in commencing, and her cruel diabolical manner of prosecuting, the late war; yet it might be prudent for new governments to adopt that political and commercial wisdom of an ancient nation, which she hath been a thousand years in acquiring. *Fas est et ab hoste doceri.*<sup>1</sup> Such a people must be presumed to know how to protect an unfortunate bankrupt from the unreasonable severity of an unmerciful creditor, without giving encouragement to every dishonest spendthrift to defraud his friend and benefactor.

The English have never extended their acts of bankruptcy to any other description of persons than merchants. They give indeed so liberal a construction to the statutes respecting insolvent debtors, as to bring within the equity of those laws whoever carries on any sort of trade, and does not live by bare labour or manufacturing alone. In this interpretation, their courts have perhaps taken too great a latitude: But the original principle upon which their parliaments have always proceeded in granting such particular indulgence to merchants, is founded in the strictest equity and the soundest policy. For people of this occupation must frequently, in order to trade to any advantage, trade beyond their capitals. Their property is moreover exposed to the fury of the ocean, and liable to numberless other accidents to which that of the rest of their fellow subjects is not incident. They are obliged to vend

their commodities upon credit; and if the buyers fail in paying them, they cannot be punctual in performing their engagements with others. Nay, the failing of one single commercial house, will often ruin many hundreds. Their situation being thus particularly precarious, and their fortunes daily obnoxious to a thousand casualties from which those of others are exempt, they deserve to be favoured by correspondent laws, which there is not reason for extending to those who are not in the like predicament. What business, for instance, has the farmer, the mechanic, or the manufacturer (which several classes comprehend almost all the remainder of the society) to break, unless by the singular afflictive Providence of God, they meet with enevitable losses, as by disease or fire, or any other real calamity, on account of which, whenever it happens, they should be equally entitled to the benefit of the acts of bankruptcy?—I ask, in the name of common honesty, how can these several ranks of men become insolvent (particular misfortunes excepted) if they are as industrious and as frugal as they ought to be?—And surely no man ought to be favoured by law for his laziness or prodigality. The husbandman is able, *communibus annis*<sup>2</sup> to raise more than is sufficient for the maintenance of his family; and if he will spend beyond his income without a prospect of paying his debts (and no such prospect can he have, continuing in such a course of life) I do, without any hesitation or breach of charity, pronounce him a very great knave. The mechanic and manufacturer are equally bound to live according to their respective earnings, or they are equally dishonest. And I think I may venture to assert, from my own observation, that where one man has been reduced to poverty, by what the lawyers call the act of God, that is, a particular calamity inflicted by Heaven, in contradistinction to the personal default of the sufferer (which ought always to be taken into consideration) twenty at least have broke, either by their want of industry, or their want of oeconomy. And shall the lazy and the lavish meet with greater protection from the laws than the diligent and frugal? Are not such laws, instead of being *a terror to evil doers*, rather an encouragement to the unrighteous practice, already too prevalent, of borrowing money, and otherwise running in debt, without any intention to pay? A most gross and shameful iniquity. And should not such profuse and unconscionable caitiffs be considered by all wise governments rather as proper objects of criminal punishment, than of particular and distinguished lenity? To involve one's self in debt, without a prospect of paying, is

certainly wickedness; and with this approbrious name the Almighty himself, by the pen of his Prophet, hath been pleased to stigmatize it. *The wicked*, says King David, *borroweth and payeth not again*. Psalm xxxvii.21.<sup>3</sup> But that any Legislature, under the Jewish dispensation, encouraged this wickedness, the Psalmist saith not. And shall they find better quarter under the purer christian dispensation, that to energetically inculcates the precept of *doing to others as we would that they should do unto us*; and which expressly forbids us to *owe any man ought but love*? So far were these deceivers from receiving any countenance in the primitive ages of christianity, that their insolvency was deemed sufficient to deserve an expulsion from the church, unless they could evidently make it appear that it was merely by the unforeseen and frowning Providence of God that they were reduced to this extremity. Upon the same principle that the church excused them from ecclesiastical censures, I would wish, in compassion to the unfortunate, that our laws should exempt them from imprisonment, on delivering up their effects for the benefit of their creditors. I mean, that no merciless creditor should have it in his power to confine any insolvent debtor reduced to that condition, by unavoidable accident, and without his own default. But why should we not imitate the example of the primitive church in its *justice* as well as its *mercy*? As I would therefore, on the one hand, extend the laws for the relief of insolvents to all the *innocently unfortunate*; I think that on the other hand, no *fraudulent debtor* ought to be screened from the terrors of a gaol. Shall a man, for instance, who, when he borrows money or purchases goods, never intend to make satisfaction for either—who knavishly conceals his real circumstances from the lender or seller, and avails himself of the confidence which they repose in his abilities and probity, to possess himself of part of their fortune—who constantly prosecutes this iniquitous plan for a series of years, living all the while in greater profusion and luxury than his honest creditors, upon whose substance he is thus rioting; and when rigorously pressed by one man for payment, borrows from another to stop the gap, in order still to protract his credit, and disguise his knavery, with intent further to impose upon others who are ignorant of his penniless situation—shall such a miscreant, I say, who is worse than a highwayman, because he adds deceit and imposture to his other villainy, and is not so easily guarded against as the open robber—shall *he* be excused from imprisonment as an unfortunate man, when the other is hanged like a dog, and no Legislature thinks that he misbecomes the

gibbet?<sup>4</sup> Surely the fact, whether an insolvency is occasioned by providential disaster on the one hand, or wilful knavery, idleness or extravagance, on the other, may be easily determined by a jury. And as surely as the insolvent ought to be favoured by law in the former case, so surely ought he to be punished with a gaol, at least, in the latter; or we confound all ideas of mercy and justice, nor make any difference between the compassion to real misfortune, and the punishment that ought to be inflicted upon premeditated covin.

But with respect to *ex post facto* laws upon this extraordinary occasion, what shall we say? Why, they are what we do not choose to say. The subject knowing, or, in legal contemplation, being presumed to know, the laws of his country, is supposed to trust every debtor according to the law then extant; and so far, it is granted, that he trusts him at his own risque and peril. But perhaps the next year succeeding the contract, another law is made depriving the creditor of the remedy he had against the debtor at the time he trusted him; and the courts of justice then open to every citizen in his case, are not shut against [ . . . ] legislation? Is it the office of Assemblies to give one man's property to another? Can creditors be supposed to elect representatives for this purpose? Or is the Legislature to represent only a parcel of fraudulent debtors to the exclusion and ruin of all honest creditors? Might not the same law which says that the man who owes me a hundred pounds, shall not pay me because it doth not suit his circumstances, say with equal justice that he shall have a hundred pounds of my money, because it better suits his circumstances to have it than mine to keep it? For where is the difference between depriving a man of a hundred pounds due to him from a certain debtor in necessitous circumstances, and of obliging him to give a hundred pounds of his property to another in circumstances equally necessitous? In either case, the encroachment upon the property of the innocent man is the same; and the plea of necessity or indigence in both, equally well founded; that is to say, not founded at all.

Upon this fruitful source of iniquity, I could, instead of a short essay, write to the tune of a German folio, to shew the pernicious consequences of such general indemnity to the greatest pests of society. But I may probably trouble the publick with another paper on this important and interesting subject.

SCIPIO

*N. J. Gazette*, Mar. 2, 1784.

1. *Fas est et ab hoste doceri*: "It is right to be taught by an enemy even" (Ovid).
2. *communibus annis*: one year with another.
3. "The wicked borroweth, and payeth not again; but the righteous sheweth mercy, and giveth" (Psalm 37.21).
4. WL is misquoting John Pomfret: "Does not that wretch, who would dethrone the king, / Become the gibbet, and adorn the string?" (From "Cruelty and Lust," *The Works of the English Poets from Chaucer to Cowper*, preface Dr. Samuel Johnson, 21 vols. [London, 1810], 8:323.) See WL to Joseph Reed, Sept. 14, 1781, 4:292–93 and n. 6, for WL's earlier use of these lines.

## From John Beatty

Annapolis 6th March 1784

Sir

The last post brought me your Excellencys favor of the 18th Ultimo covering a letter for Mr. Edmund Pendleton.<sup>1</sup> Mr. Jefferson,<sup>2</sup> a delegate from Virginia is kind enough to take charge of it and will give it a safe Conveyance.

Yesterday Capt. Barney<sup>3</sup> arrived here [and] brought letters as late as the 26th [December?] from Mr. Franklin<sup>4</sup> —they contain little important information. In one he says, Mr. Jay<sup>5</sup> is at Bath, but expects he will shortly join him at Passy. Mr. Laurens is about to return to America<sup>6</sup> Mr. Adams at London.<sup>7</sup> The British Court not very favourable to American Poloticks. Little prospect of forming Commercial treaties with them upon principles of reciprocity. Excuse this Hasty incorrect Scrawl as the Post waits. Compliments to the Family with much respect your Excellencys most obedient Humble Servant

JNO. BEATTY

ALS, MHi.

1. Letters not found.
2. Thomas Jefferson.
3. Joshua Barney, commander of the packet *Washington* (*JCC*, 24:341–43, 369n; 25:924).
4. This may refer to two letters from Benjamin Franklin to Thomas Mifflin, president of the Continental Congress, Dec. 26, 1783 (Bigelow, *Works of Franklin*, 8:404–6, 408–9).
5. On May 1, 1783, Congress authorized John Jay, John Adams, and Benjamin Franklin to negotiate a commercial treaty with Great Britain. The commissioners learned of this mission in September. Jay left for London in October, proceeding to Bath for health reasons (*JCC*, 24:321; Wharton, *Revolutionary Diplomatic Correspondence*, 683; Henry Phelps Johnston, ed., *The Correspondence and Public Papers of John Jay*, 4 vols. [New York, 1890–1895], 3:52, 76, 95).

6. Henry Laurens left London on June 6 and landed in New York on Aug. 3, 1784.

7. John Adams left for London Oct. 20, 1783, and divided his time between England and the Netherlands until returning to Paris in August 1784 (Butterfield, *Adams Papers*, 3:146, 168–71).

## To Thomas Mifflin

Elizabeth Town 8th March 1784

Sir

In pursuance of a Resolution of Congress of the 6th of January, last, that a copy “of the letters and papers (respecting the robbery of the Mail at Princeton) referred to by the Committee be transmitted to the Supreme Executive of the State of New Jersey, who are requested to order a Strict Inquiry, into the conduct of John Harrison Postmaster at Princeton & James Martin Postrider relative to the Premises—to ascertain whether & how far they were culpable in the loss of the mail; to discover, if possible, the perpetrators of the robbery, and to transmit the result of such Inquiry to Congress.”<sup>1</sup> In pursuance I say of this Resolution, I caused Jonathan Dear Esq. of Princeton to make a Strict enquiry into the matter, & to transmit to me the result as soon as possible.<sup>2</sup> He has accordingly transmitted to me the Affidavits taken in the case which I do myself the honour to inclose to your Excellency; & the substance of his report upon the occasion contained in his Letter to me, is as follows, “That agreeably to my request, he had taken sundry affidavits of all the persons he could hear of who were likely to know any thing about the matter, or whose information might lead to a discovery of the robbery; but had not been able to find out the perpetrators. That he thought it was best to get a Magistrate to join him in the business, & therefore called upon Judge Olden.<sup>3</sup> That they examined Parker<sup>4</sup> again, but as what he said agreed with the affidavit taken before, they did not take any new ones. That they also examined Doctor Witherspoon’s<sup>5</sup> negro, whose story agreed with the affidavit of the soldier; and that it appeared to them they might probably have found the mail in this manner they related.”<sup>6</sup>

All which I have the honour to transmit to your Excellency, & to assure you that with the greatest respect I am Sir your Excellency’s most humble & most obedient Servant.

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. Most of the mail taken during the Oct. 30, 1783, robbery at Princeton was recovered, but several letters were never found and others from members of Congress had been opened. In its Jan. 6, 1784, resolution Congress urged the states to implement tighter security measures and posted a reward to anyone assisting in the capture of the perpetrators (*JCC*, 26:8–10). The materials were enclosed in a Jan. 10, 1784, letter from Mifflin to WL (MHi).

2. Refer to Jonathan Deare to WL, Mar. 1, 1784 (MHi). According to this letter, WL's instructions were contained in a February 27 letter to Deare which has not been found.

3. Joseph Olden.

4. Joseph Parker testified that the mail was taken from an adjoining room while he conversed with postrider James Martin. Refer to affidavit of Joseph Parker enclosed in Mifflin to WL, Jan. 10, 1784 (MHi); *JCC*, 26:9.

5. Probably John Witherspoon.

6. A black youth discovered the mail in a meadow near Princeton and returned it to the proper officials (*Pa. Evening Post*, Nov. 19, 1783).

### “Scipio”

[March 16, 1784]

SIR,

AMIDST the infinite perplexity of politicians from what sources to draw revenues for defraying our national debt, I have often wondered that it has never occurred to our Legislature to alleviate the present publick burden, by imposing a double tax upon Bachelors; I mean Bachelors arrived at such a certain age, when it is to be presumed that they abstain from marriage either through downright aversion to it, or from the most inordinate avarice.<sup>1</sup> This aversion itself, and their consequent continuance in a state of celibacy, is so extremely detrimental to society, that it is at least questionable whether it ought not to be punished *criminaliter*.<sup>2</sup> A man who is determined not to marry, and consequently to disobey the first and great command,<sup>3</sup> shews an eventual resolution, as far as in him lies, to extinguish the whole human race. For was every man to live and die a Bachelor, the species must certainly, in a few years, be totally annihilated. They may pretend, it is true, that a state of celibacy does not necessarily imply a state of inactivity; and indeed in my office as Justice of the Peace, I have known some of them but *two active* in that state: But then with submission to that particular class of those gentry, who forage upon *commonage in gross*,<sup>4</sup> and are determined to live like free-booters in the regions of corrupted female in-

nocence, I must take the liberty to tell them, that the laws of all well-regulated societies reprobate the idea of promiscuous propagation. Thus are they reduced to the alternative of persisting in their disobedience to the said command, or of complying with it in a manner still more criminal than the most pertinacious delinquency. It is not my design however in this paper, to shew the necessity of enacting penal laws against them. Probably the pecuniary punishment of a supernumerary tax, for which I am a most strenuous advocate, may supercede the necessity of more rigorous edicts. But as to a double tax for the peculiarity of their manoeuvres to dissolve all society, besides the reasons I shall hereafter assign, I think I cannot be mistaken in the rectitude of an additional burden, unless it be in not insisting upon a *treble* instead of a *double* tax.

The principal source of riches in every well-policed community, consists in the number of its inhabitants. I will not, upon this occasion, be lavish of that little learning of which a poor farmer, though one of the quorum, may be supposed to be possessed, by shewing how greatly matrimony has been encouraged, and how much celibacy has been discountenanced, by the [ . . . ] a case so clear in itself, to cite the *jus trium liberorum*<sup>5</sup> of the Romans in favour of wedlock, or the remarkable severity of the Emperor Augustus against Bachelors.<sup>6</sup> Nor is it necessary to recapitulate the arguments that have been adduced by the most judicious writers, to prove that the poverty and wretchedness so peculiarly observable in popish countries, is principally owing to the number of the *cloistered religious* of both sexes, and the swarms of ecclesiasticks, who *neither marry nor are given in marriage*. Reason wants not the aid of authorities to recommend itself to men of reflection and impartiality. And what can be more reasonable than that those who so greatly contribute as the married, to the publick prosperity, strength and opulence, by increasing the number of citizens, should be favoured in point of taxes; and that the alleviated quantum should be laid upon those who cannot pretend to render their country the like essential and most important services? Consider the matter in point of expense with respect to the married man and the Bachelor, and the argument for laying a greater burden on the latter than the former is irresistible. The Bachelor of equal fortune with the wedded has no other creature to maintain but himself, save perhaps a favourite dog or cat (for if he keeps a mistress, so much the worse, by a proposition already advanced) while the

other is rearing an offspring that will in future continue the multiplication of the species, cultivate the ground, fight for the state, populate its territories, and contribute, by the payment of taxes, to its support and aggrandizement. Is not all this of greater advantage to the state, even if he paid no tax at all, than what is paid by the Bachelor, by the Bachelor I say, that useless, barren, singular woman-hating excentrick oddity of this our terraqueous globe? With respect to taste, with respect to happiness, on which subjects these gentlemen profess to be so great connoisseurs—was not the first woman expressly created for the first man, in order that he should not be alone? And are these men, in the sense of inspiration, the less alone, for all the women in the world, if they will not *honestly* unite themselves to any?—Do they glory in resisting the attractive charms of the most beautiful part of the creation, and know they not that they glory in insensibility, and boast of the merit of rocks and statues? I do not wish them the violent and singular death of Orpheus;<sup>7</sup> but by all means let us oblige them to pay for their sin of omission [ . . . ] society, at least a *double tax*.

SCIPIO

*N. J. Gazette*, Mar. 16, 1784.

1. During the revolutionary period a large number of writings appeared in the press on bachelors and their relationship to society. Frequently bachelors were portrayed as an enemy to the state. For a sample of this type of writing refer to the “Old Bachelor” series published in the *Pa. Magazine or American Monthly Museum*. Both of WL’s surviving sons, thirty-year-old William, Jr., and twenty-seven-year-old Henry Brockholst, were bachelors at this time.

2. *criminaliter*: criminally.

3. “Be Fruitful, and multiply, and replenish the earth, and subdue it” (Genesis 1:28).

4. *commonage in gross*: literally the flagrant abuse of the privilege or right of using a common pasture.

5. *jus trium liberorum*: in Roman law, the right or privilege allowed to parents of three or more children.

6. By the enactment of the *lex Julia de maritandis ordinibus* in 17 B.C., the emperor Augustus made marriage nearly compulsory by a series of penalties, the harshest of which prevented bachelors from inheriting property.

7. According to myth, Orpheus was torn apart by the bare hands of Thracian women.

## From Abraham Bancker

Staten Island 17th March 1784

Sir

Agreeable to your Excellency's Desire I herewith send The Man, whom I proposed to send, as he is ardently wishing to get into your Excellency's Family, and promises me that he will be faithful to serve his Time, and conduct himself in a becoming manner.<sup>1</sup> His Behaviour while here, has been such, as to give me a very favorable Opinion of his good Intentions, and sincerely hope that he may fully answer your Excellency's purposes; [which?] will give me pleasure to learn; as I would be far from recommending one, whom I entertained a contrary Opinion of.

It would have suited me much better to have had the Money in [hand] on Delivery, but as your Excellency intimates that an in[adequate] settlement would subject you to an Inconveniency [I am?] willing to wait your Excellency's Pleasure though, beg, the Time [must be?] no longer protracted, than you have already requested. Your Excellency will please to send me a Receipt for the Man (Michael Mullen) by my Negro man who accompanies him to your Excellency's State. I am (with invariable attachment) Your Excellency's most obedient humble Servant

ABRM BANCKER

ALS, MHi.

1. For WL's wartime use of Hessian prisoners as servants see WL to Richard Peters, Dec. 17, 1779, 3:269.

## "Scipio"

[March 23, 1784]

SIR,

AMONG all our grievances that require the interposition of the Legislature, there are perhaps none that call louder for a speedy regulation, than the number of taverns; the scandalous manner in which most of them are kept; and the extravagant profits of the majority of those who

keep them. As to the number, one can scarcely, in many parts of the state, travel three miles without seeing the road contaminated with a dramshop: Nay, I have seen four of them within the distance of a quarter of a mile. I do not mean in any of our towns or villages, in which, for the accommodation of travellers, and the convenience of the inhabitants, both for the transacting of business and their reasonable recreation, a greater number may be requisite; I mean along the Congress highway, remote from any populous settlement whatever: And what infernal mansions of *riot, rout and revelry*, they generally are; he that is ignorant, is a *stranger in Jerusalem*. Indeed they do not appear to be calculated for any other purpose; most of them have neither provision for man, nor provender for horse, though by lying signs, replete with false spelling and hideous painting, they openly announce *good entertainment* for both. They have, however, abundant store of bad gin, and hautgoust rum, by the perpetual guzzling of which, the idlers and loungers in the vicinity are daily destroying their constitutions, dissipating their substance, and endangering their souls. Those who keep them in a better and more decent style, I speak of the majority (for Abraham supposed there might be ten righteous persons even in Sodom) are guilty of the most execrable extortion, in so much that many of them have, in four or five years, accumulated ample fortunes: And ought not all civil societies most sedulously to guard against the impositions of such insatiable harpies? It is true that certain rates are established for their regulation: But how seldom are those rates enforced! And when have the extortioners been punished for their violation of the law? Why are those of them who are known so daringly to transgress it, constantly re-licensed, as if the justices meant to reward them for their iniquity? It is moreover alleged that the courts of justices are to judge of the proper number of inns: They are so; and would to Heaven that they did judge of them as they ought! But who can doubt that some of those courts are extremely careless in determining what number is really necessary for, or evidently detrimental to, the publick good? It is impossible they should think the present legions of them compatible with the common weal. They must know them to be publick nuisances; to be the pest, the bane, the ruin, the curse, the disgrace, and the ignominy of the country. It may be farther said that the licenses are granted upon the petitions of the neighbourhood. I answer, that as to petitions in favour of this or that man, the supplications of a free people ought to be

treated with becoming respect. But I say also, that after the justices have so often been petitioned to license the most notoriously disaffected and the most abandoned characters; and when they cannot be ignorant how easily petitions may be procured by any man who will be at the trouble of procuring them, they ought to have the prudence to enquire, to deliberate, and to judge for themselves. I have known some tory-tavernkeepers during the late war (most pompously recommended to be sure, not only by their brother-tories, which was natural enough, but by ignorant deluded whigs into the bargain) who, I verily believe, did us more mischief by the influence they had, in virtue of that occupation, which over the lower sort is very influential, than was ever done by any British regiment, during the whole contest: And save only the magistrates (whose particular business it was to know it) there was scarcely another man in the country but did know them to be the most pestilent indefatigable tories in it.

It is with reluctance, with extreme reluctance, that one admits into his mind an idea so dishonorable to our species, and so peculiarly disgraceful to men in publick office, as to suppose that any of our justices should be induced by motives of self-interest, to grant supernumerary licenses; or be capable of prevailing with themselves, for the trifling perquisite which is upon that occasion, divided amongst the bench, to injure their country: But when we consider that their worships are observed to muster much stronger at the periodical terms appointed for granting those licenses than at any other time—when they have so often found themselves imposed upon by petitions recommendatory of the most worthless beings that ever existed in the shape of man; and when, from the very number of taverns, common sense must pronounce them the most intolerable nuisances—it is no breach of charity, nor want of esteem for a very respectable office, to have our suspicions. We cannot reasonably be expected to *hope against hope*; or to draw conclusions contrary to evidence: Nor can we be blamed for lamenting the depravity of human nature, or for shedding an additional tear over it whenever we find it [ . . . ] venerable robe of magistracy.

It would therefore, I humbly conceive, well become the dignity of the Legislature, and entirely comport with their duty and their wishes to make us a virtuous and happy people, to abolish all fees upon those licenses, and to allow the justices in lieu of them an equivalent annual stipend, in order to remove all temptation from those who may be so

easily tempted: Or to grant us such other relief in the premises as they, in their superior wisdom, shall think proper.<sup>1</sup> For the number of taverns in this state is really become such a crying evil, and the abominable abuse of them so seriously lamented by every worthy citizen, that it highly merits the mature consideration of our representatives in General Assembly, to concert proper measures for their effectual regulation.<sup>2</sup>

SCIPIO

*N. J. Gazette*, Mar. 23, 1784.

1. The assembly did not seek to abolish the licensing fees granted to judges during WL's lifetime.

2. In 1790, shortly after WL's death, the assembly passed an act instructing courts of quarter session not to license more taverns than "necessary for the accommodating of travellers, and the convenience of carrying on the public business of the county, and to prevent as much as possible, Taverns, Inns or Ordinaries to be kept for the encouragement of gaming, tipling, drunkenness and other vices" (*Acts*, Oct. 27, 1790, 617–19).

"Scipio"  
On the Liberty of the Press;  
And a Certain Nonsensical Advertisement Against  
Part I

[March 30, 1784]

THE Liberty of the Press has ever been esteemed by all free nations as their grand bulwark against the abuse of office, the oppression of men in power, and publick peculation and publick mismanagement of every sort. The people at large, generally immersed in their own domestick occupations, think that all goes well, while they hear nothing to the contrary. They advert but little to politicks; and after having appointed the different officers to transact the affairs of the Commonwealth, they think that every thing goes right, because it ought to do so. There are nevertheless a thousand ways in which they may be abused in the confidence they repose; and respecting which, they ought to be obliged to any man, who will be at the trouble to undeceive them. The press hath always been found a most excellent instrument for this purpose. It is the easiest channel that can be contrived, through which to communicate to the people the danger to which they are exposed; to shew them that they are, and how they are, imposed upon by those who betray

their confidence; and by these means to unite them in removing the grievance, and procuring themselves justice. This channel of communication having ever been found so salutary to liberty, and so formidable to publick corruption, has been the constant darling of the virtuous, and the perpetual dread of the wicked. Hence despotick governments inhibit printing altogether. Arbitrary states generally lay it under such restrictions, as nearly amount to a prohibition: And even some constitutions that loudly vaunt of liberty and law, have often so shackled and hampered it, as to render it, relative to the two greatest and most important subjects that can occupy the human mind, and which most intimately affect our present and future felicity, I mean religion and government, almost totally useless. But of all the solecisms in nature, the doctrine laid down in the laws of England concerning libels (and every thing with them is a libel that is reduced to writing, and tends to expose a man's reputation) is the most absurd. For as that people, notwithstanding all their boasts of having a government truly republican, though with a king at its head, as really was that of the Romans with a consul for their chief magistrate, have always been managed by the regal branch of the constitution; the minions of the crown, dreading a popular examination into their conduct, have had the address to frame into law the most pernicious political heresy on the subject of publications against men in office, that ever entered into the human head: For according to their laws, every literary production, affecting a man's character, is the more heinous for being true. I verily believe the English are the only people in the world, who have made the useful discovery that truth is more criminal than falsehood. But it is to be hoped that the superior illuminations of the Americans concerning the unalienable rights of human nature, will, ere long, make their late masters emerge from their gothick barbarism; and convince them that speaking and writing truth, is at least as innocent as the telling and publishing of lies. It is hoped that they will soon correct the above absurdity in their juridical code, at the same time that they expunge from it the pretty conceit, that the whale, being a royal fish, and to be divided between the King and Queen, *ber* Majesty is to have the tail, for the sake of the *whale-bone*; which shews about as much knowledge in natural history, as their ideas of truth and falsehood do in moral philosophy. Thanks to Heaven! the Americans entertain very different sentiments about the Liberty of the Press. They have, and, as inseparably connected with

the idea of freedom, they must have, a right to publish the conduct of their superiors, in order to communicate it to their fellow citizens, for facilitating the remedy, and correcting the mischief. All that a writer in this case is to look to, is, that his accusations be true; or at least so probably founded, that he cannot be supposed to be instigated by malevolence. For certain it is, that no man should be suffered to propagate, with impunity, unjurious falsehoods concerning another; and as this is not tolerated in conversation, I know not how it can be sanctioned by passing through the particular vehicle of the press. Written slander seems rather worse than oral, because more extensive, and consequently more detrimental. But that a man ought to be criminated even for this, is not universally true. Printers often innocently publish what is false, believing it to be true. Were they to be liable for such error, I know not what news they could give us, without first applying to the court of chancery for a commission to examine witnesses in foreign parts, to ascertain the facts they find already published in the gazettes from which they select their intelligence. Suppose, for instance, that a Printer in New-Jersey, meeting with the following article in a Maryland Gazette, "That Patrick McMurrugh had been there executed for a burglary," should re-print it in his newspaper, believing it to be true; Mr. McMurrugh being all the while in full life, and never having committed any burglary—would an action of slander lie for this against the Jersey Printer? I think not. And hence it is that in the English law, notwithstanding its ineffable nonsense of making the printing of truth more atrocious than the printing of lies, still charges every libel in the process against the author of it to be not only *false*, but *malicious*, clearly affording the most violent implication that even a falsity unattended with *malice* (and such ought to be presumed every falsity which the publisher believed to be true) is not culpable. By this it also appears how flatly they contradict their own doctrine, that falsehood is more innocent than truth; and how clearly they render the absurdity of their theory still more absurd by their practice. What is proved above, relative to Printers, may doubtless, there being no exclusive privilege in the case be predicated of every other citizen.

During the heat of the war, of which this state has had a great share, it was impossible for our Legislatures to advert to many things, to which in times of peace and tranquility, they will questionless turn their attention. They were perpetually occupied with business imme-

diately resulting from our state militant. We were incessantly pestered with enemies both foreign and domestick; and, for a considerable time, had one British army at one of our extremities; another British army at the other; and tories and refugees, and London-traders and rascals of every kind, interspersed through the whole extent. In such a situation of things, no Legislature could find time to look narrowly into our more internal police, which is properly the work of peace and leisure. The mean while some individuals in publick trust, taking advantage of the turbulence of war, and the distress of their country, have retained in their hands, and converted to their own use, large sums of money still unaccounted for; and the payment of which into the treasury, would greatly alleviate our taxes.<sup>1</sup> Are we not under obligations to every writer, who will point out all those who ought to be called upon for this purpose? And must a man, who is willing to devote a portion of his time thus essentially to serve his country, and thereby save it many thousands of pounds that may otherwise be lost, be obliged to set his name to his publications?<sup>2</sup> An author may have many reasons for writing under a fictitious signature. Though willing to serve his fellow-citizens by communicating his sentiments about publick men and publick measures as an anonymous writer, he would be totally discouraged from doing it, were he obliged to reveal his name.<sup>3</sup> He may mistrust his capacity for correct composition; and dread the ridicule of ill-natured criticks. He may fear to draw upon himself the personal animosity of those whose conduct he holds up to publick view, and to embroil himself with all their connections. He may be too much above, or too much below, the level of those whose conduct he criminales, to enter with them, on equal terms, into personal altercations. At any rate, why should he be made the but of their united vengeance, when his sole object is to serve the community? Sometimes his publications may lose the effect they would otherwise have produced, merely from his being known to be the author. Can it be expected that the publisher of a course of speculations on political subjects, will continue to write under such circumstances; and have not a thousand weekly essays been published under borrowed names? And what necessity for this puerile inquisitiveness? Cannot this man eat the wing of a turkey, without knowing the poulterer who brought it to market; or set down to a mutton-chop, without first ascertaining what ram was the grand sire of the sheep? Is a man's reasoning either the better or the worse for its being communi-

cated without a name? Can we not embrace truth and reject error, without knowing the christian and surname of the person who publishes it? If we do not know *who* he is, which is of little consequence; we shall soon know *what* he is, from the nature of his publications. But this being too copious a subject fully to discuss in one paper, I shall reserve the remainder of what I have to offer upon it, to two succeeding numbers.

SCIPIO

*N.J. Gazette*, Mar. 30, 1784.

1. See "Scipio," [Feb. 24, 1784].
2. See Samuel Tucker to "Scipio," [Feb. 26, 1784].
3. While WL defended his right to publish anonymous criticism of his political enemies, he looked on any criticism of his own policies or of his government as seditious libel. See WL to William C. Houston, Dec. 13, 1779, 3:262–64 and Isaac Collins to WL, Mar. 6, 1781, vol.4: 154–56 and n. 3 for WL's views on freedom of the press. For an opposition attack on WL see "Cincinnatus," [Oct. 27, 1779], 3:183–86.

## From Henry Brockholst Livingston

New York 30th March 1784

My dear Sir,

I have received your favor of the 27th Instant,<sup>1</sup> & shall make the necessary Enquiries about the lot of ground you mention.

By Mrs. Hicks answer to my letter of the 20th, which is enclosed,<sup>2</sup> you will see she is as far as ever from having made up her mind on the subject. If we commence an action immediately in the Mayors Court,<sup>3</sup> the cause may be tried before Mr. Yates,<sup>4</sup> (who is attending the Legislature) leaves town. I shall however wait your directions.

The Corks you wrote for have been purchased a long time & should have been sent before this, but I have been waiting for Peter Keteltas to go. He sets out to day & besides the Corks, is so obliging as to take with him several other Articles for our family. Inclosed is a Note of my Expenditures for them. Did you receive the money for the Exemplification of Mr. Graham's<sup>5</sup> will?

The old gentleman you directed to me goes to Albany this day in quest of the Lands he believes himself heir to.<sup>6</sup> There appears to me but very little chance of succeeding. I have had advertisements inserted in the papers, & taken every possible step to oblige him. On his return

from Albany, if his Enquiries prove fruitless, I shall raise by subscription, money enough to pay his pasage to Ireland. Governor Clinton thinks with me, it is the best measure he can be advised to, though he seems very reluctant to follow such Counsel. I am already three or four dollars out of pocket by him. I do not however grudge them, I wish it was in my power to do more for a man, who is certainly honest, & a real object of charity.

The Sons of Liberty have had a meeting this morning, & have agreed to intrust their Representatives to banish the greater part of those who remained in the british lines during the late war. On their Return from the fields some of the body met a british officer who is lately arrived from Canada with dispatches for our governor. A gentleman, & one who had never been in this part of the Country before. Without any Ceremony they placed him & another gentleman on a Cart & were returning in triumph to the fields.<sup>7</sup> The Governor<sup>8</sup> interposed & committed the Ringleaders, but the grand Jury dare not indict them, & if they do, the Court will be afraid to punish them.

If you go to Trenton in April, be so good as to take my depreciation Notes with you. If the Treasurer has no money while you are there, leave the Notes with Mr. Stockton,<sup>9</sup> who, perhaps, will be so obliging as to take charge of them, & being on the spot may know when there is money, & time his duns<sup>10</sup> accordingly. Having lately paid fifty dollars on account of passage money from Europe to America, & another debt of £20, my purse is rather low. My prospects in business are somewhat brighter than they were, tho' I should not be discouraged if I did not make half as much as I do. I should persevere & hope for better times. I am, my dear Sir, your very dutiful Son

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Letter not found.
2. Charlotte Hicks, the widow of Whitehead Hicks. For a reference to Whitehead Hicks see Henry Brockholst Livingston to WL, Dec. 14, 1782, 4:501. Enclosures not found.
3. The Mayor's Court was the New York City Court of Common Pleas which heard civil cases involving more than £5.
4. Abraham Yates, Jr.
5. Ennis Graham's will, dated Sept. 15, 1777, was probated in both New York and New Jersey. On Sept. 24, 1777, the executors qualified in Middlesex County, N. J. The exemplified copy was signed by WL at Elizabethtown on Feb. 16, 1784. Letters ancillary

were granted by the New York Court of Probates on Mar. 25, 1784. Refer to Bowes Reed to WL, Feb. 16, 1784 (MHi).

6. Possibly the father of John Parrington. Parrington had settled near Albany, N.Y., but had not been heard from since February 1781. The family could not settle the estate without an affidavit as to whether he was dead or alive. For a sample of the advertisement refer to the *Independent Gazette or New York Journal Revived*, Jan. 23, 1784.

7. the fields: now City Hall Park.

8. George Clinton.

9. Probably Samuel Witham Stockton.

10. duns: the collecting of debts.

“Scipio”  
On the Liberty of the Press;  
And a Certain Nonsensical Advertisement Against  
Part II

[April, 13, 1784]

THE author of *Scipio* has thought it his duty to dedicate in this way some of his leisure moments to the service of his country; and flatters himself that he may be of use in giving hints, and advertising the good people of New-Jersey (perhaps in general too inattentive to publick affairs) of what it greatly concerns them to know; and of which they will probably not otherwise attain the knowledge. He conceives, in particular, that by the peculation and mismanagement of many that are still accountable to the publick, but have not been properly called upon, our taxes are, and must necessarily continue to be, accumulated: And that were all the monies due to us from delinquent sheriffs, delinquent collectors, delinquent militia fines, delinquent commissioners for forfeited estates, with a hundred other delinquencies, honestly paid into the treasury; and that was every one who is really accountable to the state for money received to its use, duly to account, our taxes would be greatly diminished. In the prosecution of this plan, he could not avoid in due respect and complaisance, to propose as the first accountant, the late treasurer of the convention.<sup>1</sup> But little did he think that in the very commencement of his well intended career for the publick emolument (how weakly soever it may be executed) he should be stopt upon the Congress high-way (which the law says it is a nuisance to obstruct) by such a gigantick Goliah of Gath<sup>2</sup> as hath come out of the camp of the

Philistines against him, brandishing his enormous spear, bidding defiance to all mankind, and threatening to set the world on fire, if he is compelled to account in a legal manner. With such blustering giants every man must however expect to meet, who really intends to serve his country from principle; and who touches them in their tender part—their purses. They mean not to account at all; and if with noise, and clamour, and threats, and vociferation, and confident assertions, and nonsensical advertisements, and calling upon anonymous authors for their names, and demanding the production of proofs and witnesses before the court sits, they can avert the day of retribution, they will certainly do it. But I hope my countrymen will not suffer themselves to be amused with such fustian as this, instead of concerting proper measures to recover the cash. It is poor pay. It is worse than continental money. It will never lessen our taxes. For my own part, I shall go on in endeavouring to bring all those gentry to justice, notwithstanding my being so soon attacked upon the high-road (which ought to be peculiarly free to travellers upon publick service) by this same Goliath, against whom I trust that my *staff* and *scrip*, I mean law and justice, will finally prevail, maugre *the helmet of brass upon his head, and his coat of mail*, expressions of which, when metaphorically used, everyone knows the meaning that knows him. But in this fierce combat betwixt us, instead of killing him outright by whirling the *stone* direct into his *forehead*, I purpose to dissect him by inches. He appears, by his advertisement, very fond of *dissections*; but whether he intends them in the learned sense of anatomists, the more mechanical one of the shambles, or the more domestick one of carving a piece of roast beef, the publick is still unfortunately at a loss. To dissect however his proposed dissection (in the sense of examination) we will begin with the beginning of his blunders, which, as usual, are to be found in the beginning of his work. “Your publication (says he) in Mr. Collins’s<sup>3</sup> last week’s Gazette, the 24th of January, 1784,”<sup>4</sup> (very particular indeed, because, as he had dated his paper, I presume that any man, without being a conjurer, could have discovered which was last week’s Gazette, without all this parade of chronology. Would to Heaven, he was as particular in accounting for the money in question! Your publication, says he) “is one among the many publications under anonymous signatures, calculated to injure me in the minds of the citizens of this state in general, and those of the county of Hunterdon in particular, all of which I have passed by with that neglect and scorn that they

deserved; but your performance is so replete with falsehoods, that their consequences may have a tendency to wound the fairest characters, and turn the liberty of the press into licentiousness.”<sup>5</sup> Well said my honest fellow! I find you still determined to brave it out; and at all events to avoid a legal trial. These kind of publications have a tendency to injure you! Why Sir, so far as your aversion to a proper investigation into your conduct respecting the money in dispute, is injurious to your character, such publications must necessarily tend to injure it; and so far it ought eternally to be injured by them. Why don’t you at once annihilate the injury (if it must needs be termed an injury for the free citizens of New-Jersey to say that a late treasurer, who had a large sum of money put into his hands by the publick, for which he has never duly accounted, ought to be called to a legal account; and that they will not receive in payment either speeches, or advertisements, or protestations, or *ex parte* affidavits,<sup>6</sup> while they are paying their solid specie for taxes—why don’t you, I say, at once annihilate the injury) by calling for a fair trial? All the injury you can complain of is, that some of your countrymen (whether anonymous or not, how doth it affect the merits of the cause?) do call for such trial. You, on the contrary, make use of every possible subterfuge to evade it. Who, in this case, is the injurer? Is it not rather the man who employs every artifice to elude his being brought to a legal settlement, than those who think that the state ought to compel him to such settlement? But you *have hiterto passed by such publications with neglect and scorn*.—The very thing we complain of. I think that a publick accountant, unwilling to account in a due course of law, might at least give us civil language:—But *neglect* and *scorn* is worse than no payment at all. According to his ideas however; the state of New-Jersey is to receive his *neglect* and *scorn* as lawful payment for the thousands in controversy. If he be left to himself, I dare say he will continue to *neglect* and *scorn* to the end of the chapter. But until he can put us in a way of honestly paying our honest debts by *neglecting* and *scorning* the publick creditors, he ought to be hunted from Dan to Beersheba,<sup>7</sup> and find no rest for the sole of his foot, till he has been tried by a jury of twelve men.

But what is meant by *the consequences of my falsehoods having a tendency to wound the fairest characters?* The fairest characters! Hum!—The least said, the soonest mended!—Hum!—*Scriblerus cum dasbo*.<sup>8</sup>—Perhaps better upon this subject, for the advertiser to have been guilty of the sin

of *omission*.—Fairest characters! Be it so; for I never meant to attack any man's private character. But what plea in bar, as the lawyers call it, is any character fair or foul, aganst a man's accounting to the publick when he ought to account? And that is all I want this man to do; but he is totally against doing it.

*And turn the liberty of the press into licentiousness.* Worse and worse! The press then it seems is turned into *licentiousness*, according to the opinion of our advertiser, as soon as any man shall presume to say, that a treasurer intrusted by the publick, with a great sum of money, and protesting, and vowing, and declaring; and by *exparte* affidavits pretending to shew, before a tribunal not ultimately decisive in the case, that he has lost it; ought, in justice to the community, notwithstanding all his declarations, and protestations, and vowings (which, in legal contemplation, are not worth one copper) and all his *exparte* depositions (which are not worth two) to be put upon a trial by his peers, that is by a jury of his country. Is saying this turning the liberty of the press into *licentiousness*? Does any thing that naturally rises out of the subject under consideration, and that must therefore, in order to do it justice, be taken notice of, as the false allegations of the person in question, respecting the reasons he assigns for throwing himself in the hands of the enemy—does this, I ask, deserve the name of private personal slander; or is the publication of this *turning the press into licentiousness*? What then can we say through the press, without making it *licentious*? Where hath this *unaccounting* (and if we leave the matter to him, ever unaccountable) mortal, learned this heterogeneous doctrine? Sure I am, not from John Lock. Sure I am, not from Algernon Sidney.<sup>9</sup> Sure I am, not from any of the constitutions of the United States. Sure I am, not in the Legislature of New Jersey. Where then could he have picked up this baneful, this pestilent tenet? I fancy he must have learned it during his peregrinations with the British army: Heterodox school for teaching American liberty!

But how, in the name of conjuration and necromancy, is the county of Hunterdon thus hocuspocus'd upon the carpet? Is Hunterdon, which I always considered as a very large, a very central and respectable county, become all at once by his legerdemain such a dislocated dismembered nook of the state; or has it been carried by the late earthquake so far from the terraqueous globe into the regions of infinite space, that while the *injury* he has suffered pervades the whole Coper-

nican system in *general*, the inhabitants of that poor exiled absconded speck of the universe in *particular*, will never hear of it, without his special notification? Wonderful! Let us try to dissolve the charm. Is not the late treasurer of the convention a member for Hunterdon? He is. Why then all this mystery is clearly developed. Already he seems wrapt up in cogitation profound about electioneering. Already coaxing and cajoling the county of Hunterdon. Better call for a fair trial, and then he may, with a more decent grace, harangue upon *heavy taxes, extravagant salaries, big periwigs, court-interest, aristocratical party*, and himself and the devil only know what. Don't let him any longer treat his countrymen, who want to bring him to justice in a legal way, with *neglect and scorn*. Then it is probable that at the next election he need not tremble at the thoughts of a certain Doctor's remounting the stump-pulpit at Ringoe's tavern,<sup>10</sup> and preaching to him such a sermon as ere while made his ears to tingle, and struck him with an artificial tooth-ach.

I must reserve the remainder of this subject for three or four succeeding numbers.

SCIPIO

*N.J. Gazette*, Apr. 13, 1784.

1. See Scipio, Feb. 24, 1784.
2. Goliath, refer to 1 Samuel 17:4–23.
3. Isaac Collins.
4. Scipio's letter was actually published by the *N.J. Gazette* on Feb. 24, 1784.
5. For the complete text of the letter see Samuel Tucker to Scipio, Feb. 26, 1784.
6. *exparte* affidavits: documents by or for one party only.
7. Dan and Beersheba were the northern and southern boundaries of the biblical kingdom of Israel. Refer to 2 Samuel 17:11. Scipio's biblical reference alludes to his desire to search to the ends of the earth to bring the former treasurer, Samuel Tucker, to trial.
8. *Scriblerus cum dasbo*: you write little with haste.
9. John Locke was the British philosopher and parliamentarian whose political treatises were fundamental to American political theory. Algernon Sidney was the British republican whose *Discourses Concerning Government* (1698) influenced both British and American political theory. John Locke and Algernon Sidney were both victims of Stuart absolutism: Locke was exiled from 1684 to 1689 for his involvement in the Shaftesbury plot; Sidney was executed on Dec. 7, 1683, for complicity in the Rye House plot.
10. The town of Ringoes was settled in 1721. It was a key stop for stage lines and the trading center for the entire Amwell Valley. Ringoes' first tavern was established in 1738 and served as a regular meeting place for the Board of Freeholders for Hunterdon.

“Scipio”  
On the Liberty of the Press;  
and a Certain Nonsensical Advertisement Against  
Part III

[April 20, 1784]

I Resume this subject because I stand engaged to do it by express promise. I think it however rather hard, that an author who means to serve his country, by pointing out how greatly our taxes would be alleviated by duly calling to account all those who are accountable to the state, should be dragooned into personal rencounters with every individual delinquent of this numerous group. At this rate, it will be impossible for me to make any considerable progress in the business during the present century; and I recoil at the melancholy reflection of devolving upon my great great great grandchildren, a debt that might, by only collecting our outstanding demands, be greatly reduced, if not wholly cancelled, during my life. I therefore wish that all these political leaches would unite in a joint letter of attorney, appointing one of their number (I care not who) to attack and abuse me in the name of the whole fraternity. In this way I might, perhaps, still be able to scramble along the road with tolerable dispatch. But what single man can fight a legion? I have already been stopped in my journey, much against my inclination, and longer than I intend to be in future, by one of those who had rather write a thousand advertisements than legally account for a thousand pence. I have been furiously assaulted upon the high road, without either rhyme or reason, by this unaccounting giant, who had already roared and bellowed louder than the Cyclops in Homer, when Ulysses scooped out his single eye-ball. For no sooner had I uttered the words, that he ought legally to account (words that cannot, one would think, injure an innocent man) but out he runs into the open streets, scarcely allowing himself time to put on his breeches, with a *spear* on a *staff like a weaver's beam*, and a cane as long as a *hoop pole*,<sup>1</sup> demanding my name of the printer, and threatening to knock me on the head, unless I perfectly acquiesce in his trials, *coram non judice*.<sup>2</sup> Denouncing at the same time

against my devoted head, all the comminations and curses that are recorded in the life and writing of *Tristram Shandy*;<sup>3</sup> and charging me with intending, of malice prepense, to burn up the Delaware, and expose the whole continent to an earthquake. I protest I have no such intention. But never, never will I leave him unhaunted by night, nor unpursued by day, until he shews the people of New Jersey, *in due form of law*, what is become of *that money*. I have neither said, nor insinuated, that he has been guilty either of deliberate fraud, or of such neglect of duty as will make him judicially liable for the money. He may be able, for what I know, to evince his innocence as to both. But sure I am, that if he continues writing, he will, previous to a trial, convince every jury in Christendom, that he is guilty. People will think it next to impossible, that an innocent man should work himself up to such a ferment; or wish to avail himself of such unavailing exculpation as he is trumpeting about the country. I will not, however, even after all this evidence against him of his own production, judge him culpable. No man ought to be condemned without a fair trial: Nor ought any man, in his case, to be finally acquitted by either branch, or by both branches of the Legislature, in the way of resolution. Such matters are too intricate and involved, and depend upon too great a variety of circumstances in fact, and too many questions in law, that will necessarily occur, to be decided by Assemblies—I say, by Assemblies, which are usually immersed in a multiplicity of business *properly legislative*; and that do not proceed according to the rules of our established tribunals, by which the state in general, and every citizen in particular, has a right to be adjudged; and by which only, in controversies about *meum et tuum*, they can be *constitutionally* adjudged.<sup>4</sup> In communicating this same idea in a former paper, it was as far from my intention to be illiberal towards our Assembly (a falsehood groundlessly asserted by this calumniator) as is the north pole from the south. I am confident that there is no citizen in the state, that hath a greater veneration and esteem for our Assembly than I have: Nor is any man living less disposed to treat so respectable a body with incivility. On this head, as I scorn the imputation, I shall be more copious in a future paper. To return.—I say that the suspicions against him, however grounded, are constantly increased by his own conduct. I will endeavour to illustrate the assertion by a parable. Let us therefore suppose that a constable, upon complaint to a magistrate that a certain man was suspected of larceny (I don't mean petty larceny) should be sent

with a warrant to apprehend him; and upon taking the man and shewing him the warrant, the prisoner should say,—

“Sir, you are in the way of your duty. I cannot blame you, nor his worship, the justice. I find by this that I am suspected of a certain larceny. The suspicion indeed is totally groundless: But that is not to be determined by my protestations, nor settled between you and me. I know that I am amenable, as is every other man, to the laws of my country. If I am suspected, I ought to be tried according to law. Nay more.—If I am suspected, I choose to be so tried, because I wish effectually to annihilate the suspicion by a legal acquittal. For as I thank Heaven that I am innocent, I am sure that no man can prove me to be guilty. God and my country will therefore send me a good deliverance. Walk on Mr. constable; I follow.” Should the suspected man, I say, treat the constable in this manner, would not his behaviour afford a strong presumption of his innocence? Doubtless. But should he, on the contrary, brandishing his cane with his right hand, putting his left a-kimbo, lifting up his eyes in laughably-solemn guise, and swearing by all the gods of the Philistines, that he knows nothing of the theft, accost the peace-officer in the following manner: “Sirrah! you a constable! and what then, by the authority of Demosthenes,<sup>5</sup> is your name? For I won’t stir an inch, by the beard of Pygmalion I won’t, till I know your true name.” “My name Sir,” replies the constable, with hat in hand, “is *Tom Tipstaff*;<sup>6</sup> an’t please your honour, I don’t mean to offend your honour by serving his worship’s precept.” “That is a lie, sirrah,” rejoins the prisoner, “thy true name is *Orlando Captando*, and I will not stir an inch till I know the true name of the justice, aye, the pretended justice, or his worship as you call him. I am sure his name is not *Rowland de Quorum*, as he has signed it to this scrawl; I suspect it is *Fernando Flandango*,<sup>7</sup> and that he is a Papist; and until I know to a fraction, to a fraction, sirrah! which is which, I won’t stir an inch. But be it what it will, tell him that I *scorn* and *will neglect* all his out-issuings and paper-conundrums. I will not submit to his court, nor to any court. I will be tried upon this identical spot, and by my own protestations; and against whomsoever man, woman or child, born or unborn, that shall dare to call these *unlawful evidence*, I say *havoc*, sirrah! *and let loose the dogs of war*. And as for you, *Mr. Bum*, and your Burnses and Shaws, and your Nelsons and Daltons, and your Cokes upon Littleton,<sup>8</sup> and his worship and the courts, and the people, and all mankind, *nonymous* or *anonymouse*, the devil take you

all. Therefore instantly avaunt and be gone; for by the beard of Pygmalion, I will not be tried." Should the suspected felon, I say, instead of treating the constable in the decent and dispassionate way stated in the former instance, insult and mal-treat him as is supposed in the latter, would it not naturally augment the suspicion of his guilt. Certainly. The impartial world will always conclude that an innocent man, thinking himself secure in his innocence, and inclosed as it were in a wall of brass, as it is beautifully expressed by a Roman poet, and thus impregnable against all assaults, would calmly say, I am ready to be tried by a jury of my country; and I fear not the strictest scrutiny and investigation into my conduct. This is what every innocent man ought to say, for his own sake. I wish I could make this man say so; but he will not do it. And why thus pertinaciously, thus inflexibly opposed to the only mode of trial that can possibly stop the murmur of the people, and clear him in such manner as effectually to silence all future discontent and clamour? If upon such trial he is acquitted, every body ought to be content. Every body, I presume, will be content. If upon such trial he is, on the contrary, found guilty, he ought to refund the money. Why then has he constantly opposed this only legal and satisfactory mode of inquiry, whenever it has been brought upon the carpet *within doors*? and why is he forever shaking his cane, and menacing to split every human soul into ten thousand immortal splinters, that propounds it *out of doors*? Is the publick to be satisfied with his *ipse dixits*<sup>9</sup> to save his money? Or is it to be satisfied with a parcel of blundering ridiculous exparte affidavits, of which, though I doubt not the truth, as far as concerns the veracity of the deponents, they certainly do not contain the *whole* truth; and were at any rate evidently taken to serve a particular purpose? Is the publick, I ask, to be satisfied with this? It is not. It will not.

But *come forth Scipio, and I will dissect you*. Pretty encouragement truly for a man to *come forth*, when his *forthcoming* is to be attended with such tragical and sanguinary effect! Can it be supposed that any reasonable man will come forth for the express purpose of being hatchled and mangled, excoriated and decarnated, to gratify this gentleman's blood-thirsty humour? For whether he means, upon my *coming forth*, to cut me in pieces as a butcher, or to turn me as an anatomist into a skeleton; in either case I must decline the operation during my lifetime. If, indeed, after my death, the dissection of my corpse shall be thought for the benefit of mankind, or the advancement either of the practice of

physic or surgery, I have no objection against peaceably submitting to the instrument of incision! But to be cut up in the full vigour of life, as soon as ever I shall come forth, and before I have had the pleasure of seeing his defence in a court of justice against the suit for so much money received to the use of the state, positively, friend Demosthenes, I cannot agree to the terms.

SCIPIO

*N.J. Gazette*, Apr. 20, 1784.

1. *boop-pole*: a smooth straight sapling of green wood used for making hoops.
2. *coram non iudice*: the decision of a court is void when it decides a case over which it has no jurisdiction.
3. *Tristram Shandy*: the novel by Laurence Sterne, published in its first complete edition in 1767.
4. The New Jersey General Assembly passed acts releasing public officials from personal responsibility for the public money under their control. Refer to the *N.J. Gazette*, July 5, 1784.
5. Demosthenes was a Greek orator whose reputation, gained in private causes, led to his being employed as an assistant to official prosecutors in public trials. Demosthenes declared that no greater calamity could befall a people than to be deprived of free speech.
6. Tom Tipstaff: Tipstaff was a commonly used name for a bailiff or constable.
7. *Fernando Flandango*: a word-play on fandango, a rapid twirling Spanish dance.
8. Richard Burn, Joseph Shaw, and William Nelson were English jurists of the early eighteenth century; Michael Dalton was an English jurist of the seventeenth century; Sir Edward Coke and Sir Thomas Littleton were English jurists from the sixteenth and fifteenth centuries, respectively. Littleton's *Tenures*, reprinted with commentary by Coke, was long the authority on the English law of real property.
9. *ipse dixit*: the master has said it.

## From Edmund Clegg

Philadelphia, April 21, 1784

May it please your Excellency

I have lately arrived from England to prepare the way for a large Number of British Mechanics who have been disposed to come over to this Country for about 6 years. The Trades designed to be Established are the Weaving of Linnens, Cottons, & Silk Goods, with them several Mixtures, as now carry'd on in Manchester & London.<sup>1</sup> In order to insure Success, We sent one of our Number, more than 2 years ago to Paris, to confer with the Hon. Dr. Franklin upon the Subject.<sup>2</sup> He gave us every encouragement in his power with sundry Letters for our aid,

upon our arrival here. But the said papers were destroy'd, at Londonderry in Ireland, to prevent prosecution, by the British governor who sent orders to apprehend us.<sup>3</sup>

On my arrival in this City about the 10th of November last I waited upon his Excellency the president,<sup>4</sup> and showed him a Letter from the Hon. Dr. Franklin to myself, and told him I could perform the [art?], but was unequal to the Expence. He approved of the design, & directed me to apply to the Assembly<sup>5</sup> for aid. I have done so and a Committee of the House have Reported £1100 Currency for, that purpose. But the House having adjourned without determining positively has put it out of my power to push forward the design. For which Reason I do hereby with all due respect make a tender of our services thro' you to the state under your Government. If you Judge this an object worthy your attention I humbly beg for your speedy reply as soon as possible. Any thing you may wish to know farther as to myself or Intentions Mr. Wm. Rogers formerly a Chaplin in the Army my Mutual Friend will reply unto. Indeed it is partly thro' his means that I have made bold to lay the scheme before you, and I am Confident that the subject of it will be of more real Advantage to the state in which it shall be first brought to perfection, that any one with whom I have Conferred with here is aware of. I perceive, the Merchants [ . . . ]adre no ways friendly to the Undertaking Notwithstanding this State is in the greatest distress for want of Cash.<sup>6</sup> European Merchandize having nearly drain'd it. I am Honored Sir you Excellencys most obedient & very Humble servant

EDMUND CLEGG

ALS, MHi.

1. The English textile industry grew rapidly with the introduction of James Hargreave's spinning jenny and Richard Arkwright's water-frame and carding machines in the 1760s. Textile manufacturing families, such as the Strutts, Arkwrights, Peels, and Morleys, quickly adopted the new technology and cornered the industry. Mechanics with knowledge of the technology thus looked overseas to gain a foothold in the lucrative textile market. Clegg was apparently acting on behalf of such a group of unidentified mechanics.

2. Benjamin Franklin became interested in the establishment of an American silk industry in the 1760s. Refer to Benjamin Franklin to Cadwalader Evans, Sept. 7, 1769 (Wilcox, *Franklin Papers*, 16:198–201). No record exists of a letter to Franklin from the mechanics in the 1780s.

3. Probably Earl Temple, George Nugent-Temple-Grenville, viceroy of Ireland. In the early 1780s, Parliament, alarmed over the exportation of English technology, passed stringent laws to prevent people who possessed such knowledge from leaving Great Britain or to pass on such information to other countries.

4. John Dickinson, president of Pennsylvania.
5. Congress directed that all applications for the establishment of any business must be made through the government of the state in which the applicant wished to reside. Refer to Memorial of William McCormick, Sept. 1, 1783 (*JCC*, 25:531–32). Clegg's petition to the Pennsylvania Assembly has not been found.
6. A flood of British manufactured goods, combined with an economic depression in 1783–1784, created a scarcity of circulating cash in Pennsylvania.

## From Thomas Mifflin

Annapolis April 21st 1784

Sir,

I have the honor to inform your Excellency that by intelligence communicated to Congress by the Minister of France,<sup>1</sup> his most Christian Majesty has determined that L'Orient shall be a free port, and although the Edict is not published, may be so considered by the Citizens of the United States. And that the Merchants of the United States likewise enjoy the Liberty of frequenting the ports of Marseilles and Dunkirk, and participate, as other Nations, the franchises and Privileges of these two places.<sup>2</sup> I have the honor to be with the greatest respect and Esteem your Excellency's most Obedient and humble Servant

THOMAS MIFFLIN

LS, Nj.

1. Chevalier de la Luzerne.

2. Louis XVI's decision to open certain French ports to American trade was meant to compensate in some measure for the loss of markets in the British West Indies and Canada. To secure additional foreign markets, Congress on July 9, 1784, appointed Thomas Jefferson, Benjamin Franklin, and John Adams as commissioners to negotiate commercial treaties with European powers. To existing treaties with France, the Netherlands, and Sweden were added new treaties with Prussia and Morocco, signed in 1785 and 1787, respectively (*JCC* 26:241; 27:579–80; 29:725n, 807n; 32:176). For the most recent reference to the French Treaty of Amity and Commerce see WL to Monsieur de Marbois, Nov. 25, 1782, 4:489. For New Jersey's legislative action see WL to Benjamin Harrison, Feb. 24, 1784, n. 3.

“Scipio”  
 On the Liberty of the Press;  
 and A Certain Nonsensical Advertisement Against  
 Part IV

[April 26, 1784]

STRANGE as it may seem, gentle reader, yet true it is, that it will cost one more trouble, and actually requires greater skill, to manage either a verbal disputation, or a course of polemical writings with a blockhead, than with a man of ten times one's own sense and understanding. This phenomenon may perhaps be accounted for in the following manner: A man of real sense, who is never conceited, is an honest impartial inquirer after truth, and is consequently open to conviction, whenever he meets with arguments sufficient to convince him. A Dunce, on the contrary, being always conceited, will never be convinced by any arguments you can offer, because it is the very nature of his mental malady, to think his own superior to those of all others. This is not all. A blockhead, when he reduces his crudities to writing, whether by way of *advertisement* or *oration*, no matter which, will generally blend with them (as a lunatic has his lucid intervals) some thoughts, that separately considered, are really rational; and when interwoven with his mass of nonsense, impart in appearance a kind of rationality to the whole. Now the talk of untwisting such a motly texture, and of unravelling such transversal zigzag inextricable web, I would rather resign to Queen Penelope<sup>1</sup> (asking her Majesty's pardon) than advise any nearer neighbour of mine to undertake it. For this nonsense so coloured, and borrowing the glimmerings of the little reason that is interspersed thro' its neighbourhood, requires, at least in the opinion of other blockheads, as formal an answer as the rational part itself. Just as the vulgar think that the moon really shines as well as the sun, tho' astronomers know that this planet only reflects to us the light she borrows from that glorious luminary. Still this same nonsense so coloured, from its irregularity and excentricity, its juxta-position to, its conjunction with, its seeming participation of, and its actual diversity from, reason, is infinitely more difficult

to confute, than the most regular and connected composition. I make no application; but who would not rather reason with Sir Isaac Newton, than with orator Henley?<sup>2</sup>

Would my antagonist but coolly place himself in the situation of a disinterested man; and had he in reality as great a desire to lessen our taxes as he pretends to have, he would reason in a very different manner from what at present he doth, if peradventure, from his dread of coming to a regular account, he hath not lost the faculty of reasoning at all. But this same unlucky self-interest will so warp the mind and cloud the understanding even of the least depraved sons of Adam, that you will not unfrequently find the most patriotically-haranguing orators calmly appropriating to their own use the undoubted property of their country; and still appearing in publick; and still oratorical upon publick mismanagement, and the peculation of others who never committed any peculation, with as little confusion, and as little suffusion, as a whore at a christening—I say, that he would doubtless consider the matter in a different point of light. I will prove it; and here is the proof. In the case of Stephen Skinner,<sup>3</sup> who produced as positive affidavits, with less than half the bluster that is made by a brother treasurer, of the robbery of our fiscal coffer, when in his custody, as this man could possibly collect, were you to allow him the term of a London apprenticeship for the purpose, about the accident that is pretended to have befallen him, in a place where they say he ought never to have carried it; and where some people think it was purposely carried by way of *will with a wisp*, or *jack with a lanthorn*,<sup>4</sup> to attract the *British bogg-trotters*<sup>5</sup> after it—In the case of Skinner I say, the Legislature, notwithstanding all his parade of innocence (and perhaps he was as innocent as some other folks) wisely ordered a prosecution against him, in order to give their constituents fair, legal, and impartial justice. Unfortunately indeed, by the opposition of those who perhaps had one reason for averting it, which they never thought proper to assign, it was ordered *too late*. The money was irrecoverable. I hope it will not come too late in the present case. In the disaster of Skinner (would you believe it, courteous reader?) this very man was one of the most zealous advocates for the province to bring him to a legal trial; and he was right. His judgment being then uninfluenced by the bias of self-interest, his head clear, because his pocket was unconcerned, and his understanding sufficiently illuminated to discern the rights of his country, because he had not then received any

lessons from General Howe<sup>6</sup> to cast a mist over it; he discarded all the confident assertions of that treasurer with all his *ex parte* affidavits; and he might really discard them if he pleased, and such I doubt not was his pleasure, with *neglect* and *scorn*. He was right. He continued strenuous and persevering for a prosecution at law, as the only constitutional mode for deciding the matter. He was still right. But now, when a certain treasury-chest committed to *his own hands* has, with respect to the publick, been turned into a non-entity, the case, it seems, is entirely altered. When we insist upon *his* being called upon in like manner, he is for turning the whole world topsy turvy, and threatens to tie every writer upon this topick to one of Mons. Montgolfier's areostatic balloons,<sup>7</sup> and after having half suffocated him in his aerial voyage for want of air, still farther to prolong his torture, by making him alight in *puris naturalibus*,<sup>8</sup> either upon a burning Etna or a frozen Caucasus: And all this, rather than submit to a trial by his peers. Instead of such tranquil submission, which is the duty of all our citizens, and ought to be the particular wish of every innocent one, it is now, ring the bells! Ring the Bells! Ring the Bells backward! Death and confusion! Raw head and bloody bones! Marrow-bones and cleaver! The licentiousness of the Press! Illiberality towards the Assembly! Your vouchers Sir, your vouchers, and then I will dissect and turn you into a mummy or a skeleton! All this may be sonorous; and, as his manner is, make a *desperate* noise. But in all this, there is no money. It is not worth a farthing towards the payment of our taxes. Either let him be honourably acquitted by legal trial, and I shall rejoice at his innocence; or be fairly convicted, and then down with the cash. Jerseymen will not be paid with *advertisements*.

But he cannot, it seems, go to his grave in peace, without knowing my name. I hope he is not seriously bent upon a total subversion of our political system. I hope he does not still ponder upon the *conciliatory opening*, the *final postern* of mercy to returning sinners, provided for in the last clause of the constitution, of which he boasted to the British army, that he was the grand protoplast and fabricator. Indeed it looks more like the father than any bastard I ever saw in my life; and, to the honour of its generator, will be—an eternal disgrace to the state. But I really fear, from his anti-liberty principles, which he cannot conceal with all his art, that he still has some hankering after the onions of Egypt;<sup>9</sup> and still ruminates upon that *reconciliation with Great Britain*, which the reader may find he has so thriftily provided for *ad infinitum*,

in this same memorable and ultimate stipulation. For as his errors always begin at the beginning of his works, they generally (and this they tell us is according to the rules of oratory) shine with greater lustre at the conclusion. "He can't go to his grave in peace, without knowing my name." My name, Sir? And pray may not a man, in a free country, convey thro' the press his sentiments on publick grievances, and shew to what his fellow-citizens are entitled by law, without being obliged to send a certified copy of the *baptismal register* to prove his name to every Giant of Gath,<sup>10</sup> who takes it into his head to disturb the publick tranquility with his vociferations; and threatens to hew down every printing press in the Thirteen United States of America with a cooper adz? In the name of the seven wonders of the world (not to augment them by the addition of this transcendently marvellous man to *eight*) into what will not our liberties be finally coopered, if we suffer these *English conciliators*, these hewers, and hackers, and splitters, and manglers of American liberty, to have their own way? My name, Sir? Supposing that my god-fathers and god-mothers had thought proper either to give me the more sizeable name of *Roderic Random*,<sup>11</sup> or the more voluminous one of *Philanthroposflosboiostbolossos*, what possible connection could there be between either of these names, or any other particular disposition or combination of the vowels and consonants of the alphabet, and the undoubted responsibility of the treasurer, who means to pay us by saying *the money is lost*? Why about as much as there is between an egg and an elephant, or between my paying a sum of money that has been committed to my care by laying down the cash, and my making the payment by saying that the Sylphs and Sylphites,<sup>12</sup> the Elves and Fairies, have flown away with it thro' the chimney, and that this is to pass for good payment without any farther enquiry.

SCIPIO

*N.J. Gazette*, Apr. 26, 1784.

1. In Homeric mythology, Penelope, the wife of Odysseus, faithfully awaited her husband's return by pretending that she could not marry until she finished weaving a shroud for Laertes, Odysseus's father. She unraveled the shroud each night so that the work was never finished, but after three years she was betrayed by one of her maids and was compelled to complete it.

2. John Henley (1692–1756), known as "Orator Henley" by his contemporaries, published several works on oratory and theology. His inflated opinion of himself caused him to be satirized by Alexander Pope and caricatured by William Hogarth.

3. For a recent reference to Skinner see "Scipio," [Feb. 24, 1784].

4. Jack with a lanthorn implies something misleading or elusive.
5. British bogg-trotters: an eighteenth century nickname for the Irish.
6. British commander Sir William Howe.
7. For a detailed account of Monsieur Montgolfier's areostatic balloons see John Jay to WL, Sept. 12, 1783.
8. *puris naturalibus*: in a state of nature.
9. The onions of Egypt is a Biblical allusion to the hardships endured by the Israelites in their Exodus from Egypt. The Israelites craved the foods they had eaten while still in captivity in Egypt (Numbers 11:5).
10. Goliath (1 Samuel 17:4–23).
11. *Roderick Random*, Tobias Smollett's picaresque 1748 novel about seamen.
12. Sylphs were believed to be of a race of beings or spirits inhabiting the air.

### “Scipio”

#### On the Liberty of the Press; and A Certain Nonsensical Advertisement Against Part V and Last

[May 3, 1784]

SCARCELY had I taken up my pen to begin this paper, but I recollected the advice of the wise man, *answer not a fool according to his folly*. Struck with the thought that I had entered the lists with orator Henley,<sup>1</sup> in contradiction to holy writ, I immediately returned it into my inkhorn. I paused and pondered. But soon recollecting that this same wise man, and in the very same sentence, commands us to *answer a fool according to his folly*; I weighed and compared. Is not this a mystery? Is not this a contradiction?—Profane and deistical men may indeed give it that turn: And that turn profane and deistical men have given it. But all the contradiction in it is merely verbal. The maxim itself, according to its true import, is like all the other apothegms of Solomon, founded in wisdom, and tested by experience. *Answer not a fool according to his folly*, says this divine philosopher, *lest thou also be like unto him*. *Answer a fool according to his folly*, he subjoins with equal propriety, *lest he be wise in his own conceit*. The scripture, which contains an inexhaustible magazine of human, as well as of divine knowledge, never really contradicts itself, though in many instances it may, to superficial readers or corrupt wranglers, appear self-contradictory. The whole verse taken together, according to its true meaning, is replete with wisdom, and contains an invaluable apothegm. Men of the best sense may want proper directions how to deal

with fools. Solomon has given them those direction.—There is a time to be silent, as well as a time to speak: And a wise man ought at no time to answer a fool *by imitating his folly*. If the latter boasts and swaggers, and raves and threats, and prints nonsense and bombast, the former will not boast and swagger, and rave and threaten, and print nonsense and bombast as he does, because then he *would be like unto him*. In other cases however, as when there is a probability that he is not absolutely incorrigible, nor irrecoverably hardened in the sins of self conceit and impudence, when there is a probability of either serving him or the publick; we have reason to think that we can in this way bring him to justice, and make him account to his country; and that without answering him, he will triumph in our silence, coil himself up in his own self-importance, and vainly boast that he is unanswerable—why, in that case, *answer him according to his folly, lest he be wise in his own conceit*.

Having promised in a former paper to be more copious in a future one, upon a very malevolent calumny of orator Henley, that I had treated the Assembly with illiberality, I now proceed to fulfil the engagement.

It is probable enough, considering the natural pride of mankind, that in every Legislature upon the continent there may be some supercilious self-important turkey-cock individual, who thinks it high treason for any plebeian even to surmise it possible, that the main body is capable of committing an error, while his *infallible Honour* is a member of it; and that the very supposition is highly derogatory from their dignity, and consequently indecent and illiberal. But our Legislature has not so learned liberty. They never studied the rights of mankind *in pilgrimage with the British army*. They know their rights as Legislators; and they know ours as their constituents. At any rate, we know the latter, and are not afraid to maintain them.

Like a free citizen of a free state (and free at the expense of infinite blood and treasure) I discussed, in a paper to which my antagonist alludes, the resolution of our Council for bringing a late treasurer to a legal trial for a considerable sum of money in dispute between this state and the said treasurer. I gave it as my opinion, that as the citizens of New-Jersey are intimately concerned in this contest, they had an undoubted right to have it legally determined: That no satisfaction which this man could give to either of the Honourable Houses (and with the pretence of which he would eternally pester both, if they could have the patience so far to sacrifice their time, and proper business, as to hear his

endless garrulity) could never amount to such determination. That their decision was consequently short of what the people were entitled to—a fair judicial adjudication, which must be final and satisfactory to both parties. Are not these fair conclusions from undeniable premises? And is there any high treason in this logic? Is there in it the least appearance of ill manners or want of respect to the Assembly? Sure I am, I meant none. We are under great obligations to our Assemblies, for undertaking the trouble of serving us; and that for a very scanty allowance, and at a time when some men were making their compliments to General Howe.—We are under still greater obligations to them for serving us with fidelity; and often to the great incommmodity and embarrassment of their own private affairs. For this trouble, for this fidelity, for this sacrifice of their time, and often of a considerable part of their fortunes, we are, I say, under great obligations to them. We ought, moreover, from their respectable situation, and their dignity as the representatives of a free people, the original source (mind my good friend Demosthenes, whatever the British or Hessians may have told you to the contrary, the original source) of all dignity amongst us, to pay them all the respect and reverence due to their elevation. This obligation is still heightened, when they serve their country with a *single eye*, and from the sole motive of serving it. When they are not ambitious of, nor seeking for, publick honours; but are themselves, on account of their merit, sought for by the people in their rural retirement, and their more beloved shades of private life; and not hawking and peddling, and cringing and coaxing, and trimming and turning, and parliamenteering for three years, before they can obtain a majority of voices; and finally obtaining it by uttering false prophesies and endless orations, and promising to work such miracles as they know they cannot work, and which they ought not to work if they could. But after all their rank and dignity, they are in one sense, and in a very important sense, the servants of the people. By undertaking the trust, they become responsible for the due execution of it. If they wilfully betray it, their constituents will call them to account. If they commit involuntary errors, their constituents have at least a right to point them out, in order to caution both them and others against the like mistakes in future. As they represent the whole community, they represent every individual elector in it, as a component part of the totality of their representation. Every individual therefore has a right to submit his sentiments respecting their conduct

to his fellow-electors, his brother-citizens, in order to bring it under general consideration; and by that means, if really prejudicial to the society, to final amendment. The wisest men may err; and no publick bodies are infallible, even when such a cardinal Alberoni<sup>2</sup> or Pope Boniface<sup>3</sup> makes one of the conclave. Our Assembly would not be the only good men, nor the only wise men, that have been deceived by confident assertions, and infinite tergiversations. In the present instance there certainly was an error somewhere. When the Council and Assembly differ in sentiment, one of the two branches must as certainly be right, and the other as certainly wrong in point of opinion, as that two opinions, directly repugnant to each other, cannot both be right. Is it high-treason, is it a misdemeanor, is it illiberal, for a free citizen of this state to say which of the two has, in his opinion, mistaken the point? Where has our orator imbibed this idea of American liberty? I fear in the same anti-republican school of political heresy, the *British lines*.

But as to the cardinal point between us, the *money in question*, he calls for my vouchers. I tell him I will not give them. This matter I presume is not to be settled betwixt him and me by a paper war. Had I no other objection to this; and could the people be supposed willing to receive, as I am sure he would be very ready to tender, such payment, the length itself of the dispute would be an unsurmountable one. But does he really think me such a blockhead, as to disclose to him, in this stage of the controversy, the evidence which I have reason to think will be produced against him upon his trial? He does not think it.—But it is just like the man, to believe that by thus calling for vouchers, which he knows no person living, who wants to have him fairly tried, will ever communicate in print, he can amuse the credulous, make an ostentation of innocence, and avert the day of reckoning. I will not do it.

But mark what we have already lost by hitherto delaying his prosecution, and leaving him so much leisure to *seek out inventions*. Why he has at least discovered that this same money was *no money*. It was only *intended money*. It was not yet in *esse* or *existence*, but only a *potentiality* or *possibility*. It was a kind of *embryo*, or sort of foetus, conceived indeed in his womb, but not yet brought forth; a conception, but no real birth; and with which; as he now plainly intimates, he intends to put us off, as with a *false conception*. Why what a witch of *Endor*,<sup>4</sup> to be all this while in such a fright at the real body of Samuel, when he knew it was only a false apparition. If no money was ever in his custody, certainly no money

could ever go out of it. And why then so terrified about a trial? Why not plead what some sheriffs often honestly return on a Scire Facias,<sup>5</sup> and others as dishonestly in other cases, in the words of his and their false latin *Nichil*?<sup>6</sup> But by this *intended money*, friend Henley! there hangs such a tale, that *woe will betide thee*, whenever it shall be told. Such a tale, that whenever it is told, will make thine ears to tingle still more than the patriotick doctor from the horse-block pulpit at Ringoe's.<sup>7</sup> Such a tale—but prudent men do not adduce their evidence before the cause is at issue. Till then, therefore, good night to you, with a short and friendly word of advice. Think more. Talk less. Write not at all. Account properly; And never forget the Spanish proverb, that *be whose house is made of glass, should not throw stones*. And so your most humble servant, Sir,

SCIPIO.

*N.J. Gazette*, May 3, 1784.

1. Proverbs 26:4–5; John Henley. See “Scipio,” [Apr. 26, 1784], n. 2.
2. In 1716 Cardinal Alberoni was made prime minister of Spain by Philip V. His disastrous management of Spain's foreign policy earned Alberoni the enmity of the Spanish King, the Pope, and the Quadruple Alliance. Hiding in Italy, he evaded arrest and assassination. Alberoni attended the 1721 conclave that elected Innocent XIII to the papacy and was exonerated by the Pope in 1723.
3. Pope Boniface VIII convened a synod in 1302, in which he promulgated the bull *Unam sanctam* asserting the temporal as well as spiritual supremacy of the papacy.
4. 1 Samuel 28:3–25.
5. Scire Facias: a judicial writ founded upon some matter of record (i.e. judgment) and requiring the persons against whom it is brought to show cause why the party bringing it should not have advantage of such record.
6. Nickel in English practice is a debt due to the exchequer that the sheriff could not levy and returned nil.
7. See “Scipio,” [Apr. 13, 1784], n. 10.

## From Elbridge Gerry

Annapolis 7th May 1784

My dear Sir

I have only a Moment to inform your Excellency that by a Letter this Day received by Congress from Doctor Franklin of the 9th of March last,<sup>1</sup> It was the Intention of Mr. Jay to embark for America with his

Family in April.<sup>2</sup> I received a Line from his Excellency under the 19th of February,<sup>3</sup> but no Mention was therein made of his leaving Europe.

My best respects to the Ladies & Gentlemen of your Family & believe me to be Sir on every Occasion your Excellencys most obedient & very humble Servant

E. GERRY

ALS, MHi.

1. Refer to *JCC*, 26:355.

2. Jay wrote to William Bingham on Feb. 22, 1784, that they hoped to leave France by May. Refer to John Jay to William Bingham, Feb. 22, 1784 (Morris, *Unpublished Papers of John Jay* 2:695–96).

3. Refer to John Jay to Elbridge Gerry, Feb. 19, 1784 (Morris, *Unpublished Papers of John Jay*, 2:694–95.)

### “Scipio”

[May 24, 1784]

SIR,

NOTWITHSTANDING the depravity of our morals during the late war, which, it is to be feared, kept a pretty equal pace with the depreciation of our currency, I have not met with a man so totally abandoned, as not to acknowledge that we ought cheerfully to pay such taxes as are necessary for the support of government, and to discharge all our publick debts with fidelity and honour. Indeed it cannot admit of any doubt, that men living in a social state, and having, by the laws of the society of which they are members, their lives and property secured against those assaults and invasions to which they are exposed in a state of nature, must consent to contribute a part of their substance, for the better security of the remainder, towards the support of those who are more immediately appointed for the above salutary purposes. And as to our publick debts, I can scarcely image to myself so hideous a portrait of human nature, as that a single individual of our species should entertain even a wish that every publick creditor should not be fully and honestly paid. Mortifying indeed would be the reflection to every ingenuous mind, to every man who feels for the honour of his country, or has a proper idea of justice and equity, that, after so successful a war with one of the most powerful nations in Europe, we should suffer the glory of

America to be tarnished by our ingratitude or injustice: That we should leave unpaid, or unnecessarily protract the payment of an army, of whose valour and achievements the annals of mankind afford few examples; and of whose sufferings and patience, they afford none: That we should leave unpaid, or unnecessarily protract the payment of those patriotick creditors in the civil line, who opened their purses at a most perilous crisis of the contest, in full confidence of our national honour, and without whose pecuniary aid we had probably this moment groaned under the galling yoke of British bondage. There is not a man, I presume, so hardy, even if he was inwardly possessed with seven devils, that would outwardly avow such a sentiment. Taxes therefore, it is universally acknowledged, ought to be paid, as without them our publick debts cannot be discharged.<sup>1</sup> But the difficulty, the difficulty, oh the difficulty of paying them! I am therefore going to shew to those who make the greatest difficulty about them, how they may be enabled to pay their quotas without any difficulty at all.

The merchant, or rather the shopkeeper (for alas! alas! it is devoutly to be wished that we had a competent number of the first denomination, before we are ground into atoms by Philadelphia and New-York) I would advise, in order the better to enable him to pay his taxes, that as soon as he has purchased upon credit a proper assortment of goods to set up a shop, to consider the whole store in the same light as if he had really paid the cash for all the merchandize it contains, and to live accordingly. I would advise him to figure away upon the credit he has somehow or other acquired, either as if he had already paid, or was never to pay for this same assortment of goods; and to assume all the airs, and run into all the expense of a gentleman of an independent fortune. If he can pick up a French dancing-master, no matter whether he can dance or not, to teach his daughters to hop and caper, who would be more usefully and more characteristically employed in sewing or spinning, so much the better; and thus he will be able to pay his taxes, which at present he thinks so heavy and cumbersome.

Those of the farmers who complain of this intolerable grievance, that is, paying their proportion of an honest debt, I would advise, that though they have not a farthing of cash in their houses (*as they say*) yet not to dispose of any of their produce at a reasonable price, but still to keep it in expectation of a higher market, and in the mean time to put off the collector with the difficulty of the times, with which, if he has as

much patriotism as they, he will be easily put off: That when finally obliged to sell their crops, they would by no means lay by any part of the money against the rainy day that Monseieur Publican, with woful countenance, will call upon them for their rates; but that they would steer direct, with the specie in pocket, either to New-York or Philadelphia, and there to expend as much of it in gewgaws and trifles, and toys and baubles, and laces and ribbands, and such like *pretty notions* for their wives and daughters, as the most inconsiderate and extravagant wives and daughters would wish to have: And if peradventure so much of the money be left before he quits the metropolis he has made choice of, for this laudable purpose, then to buy with the remainder a gay horse, at the price of a hundred pounds, that in reality is not worth twenty, for a favourite son to figure upon in fifty parts of the country, where he has no other business in the world, but to shew that he rides this same gay horse: And thus this same distressed, complaining, heavy-taxed, moneyless farmer, will be enabled to pay *his* tax.

As to the day-labourer, nothing is easier than for *him* to pay his quota, if he will but take wholesome counsel for the purpose; for he has only to insist upon treble the wages that he ought to have, that he can really earn, or that any man can possibly afford to give him. However a man may, on certain occasions, for the want of labourers amongst us, be necessitated to employ him at that exorbitant rate. Then I would advise him to take the advantage of that man's necessity, and to work for him but two days in the week at the treble value of his labour; and moreover to insist upon as much grog as his whole labour is worth, had he no other pay for it. I would farther direct him to work no more for any other man whatever, for the four days next ensuing, but during that time, to spend his last earnings in some dram-shop, or at a horse-race, or cock-pit, or nine-pin alley, no matter which, so that he but spends it; and by no means to undertake another job of work while he has a single farthing of the last extorted wages in his pocket: And if his employer should talk of buying negroes to cultivate his farm, from the impossibility of working it at such extravagant wages, then I would advise this labourer to preach against the sin of slave-keeping; and if the farmer, coinciding with his doctrine, should say, that in order to avoid that sin, he would encourage the importation of white servants from foreign parts, then let the labourer insist upon it, that such measure would distress the poor of America by lowering their wages; and that whoever

countenances such emigrations is an enemy to his country. At any rate, however, I would advise him not to work above two days in seven, especially not before we have a competent number of those honest foreigners who, he is so afraid, will make him an industrious man: And thus this poor, wicked, lazy, distressed, over-taxed labourer, will be able to pay *bis* tax.

SCIPIO

*N.J. Gazette*, May 24, 1784.

1. The New Jersey Assembly passed two money-raising measures in December 1783: "An Act for raising a Revenue of Thirty-one Thousand Two Hundred and Fifty-nine Pounds Five Shillings per Annum, for the Term of twenty-five Years, for the Purpose of paying the Interest and Principal of Debts due from the United States . . ." and "An Act to raise the Sum of Ninety Thousand Nine Hundred and Thirty Pounds for the State of New-Jersey, for the Exigencies of the Year One Thousand Seven Hundred and Eighty-three. . . ." The first act directed the state's treasurer to pay the interest due to New Jersey's creditors directly to them rather than to the continental loan officer (*Acts* [Oct. 28–Dec. 24, 1783] 44–57, 63–64). See John Beatty to WL, Feb. 25, 1784 and n. 4.

### From Charlotte Hicks

New York 31 May 1784

Sir,

Without making any observations from what has passed between us respecting your demand<sup>1</sup> I have come to a conclusion to make you an offer of Fifty pounds which if you accept in full I shall endeavour to procure in a few days, for at present it is not in my power to command it. However it may be apprehended I am supplied with the article of Cash, and give me leave to assure you Sir it has not been my intention in any instance to represent the Case [ . . . ] to your [prejudice?] otherwise than I was supported by what I conceived to be the facts. I would wish to avoid altercation with a Gentleman so closely united in Fellowship with my departed husband,<sup>2</sup> and hope no unfavourable impressions may be imbibed from what has happened on this occasion. Should you not close with the proposal I trust no advantage will be taking of the offer, if it is equally satisfactory to you to take a good Bond of the above amount from any of the debtors to the estate, it would be less inconvenient to me as it may be possible I may be disappointed in ob-

taining of the Cash as soon as you would like it. I shall try to think no more of it but remain with respect your Humble Servant

CHARLOTTE HICKS

ALS, MHi.

1. WL's letters to Charlotte Hicks have not been found. For WL's action against Mrs. Hicks see Henry Brockholst Livingston to WL, Mar. 30, 1784.
2. For WL's relationship with Whitehead Hicks see 1:6.

### To George Clinton

Elizabeth Town 4 June 1784

Sir

The Bearer Mr. Vaughan<sup>1</sup> who is an English Gentleman of great fortune, & was an American in his heart during the whole war, has left his native Country to settle in the United States with his whole family is now on a Jaunt to your State, having not fixed upon any particular spot for the place of his residence. He is a Gentleman of great mind; & your Excellency will excuse me for the Liberty I take in recommending him to your notice. I have the honour to be with great respect you Excellency's most obedient & very humble Servant

WIL: LIVINGSTON

ALS, WHi.

1. Samuel Vaughan, Sr., the father of British peace negotiator Benjamin Vaughan and an intimate friend of Benjamin Franklin, arrived in Elizabethtown in June. He traveled from Philadelphia with a letter of introduction by another son, John Vaughan. Refer to John Vaughan to WL, June 1, 1784 (MHi).

### To John Adams

Elizabeth Town 10 June 1784

Sir

I take the liberty of recommending to you Colonel Clarkson<sup>1</sup> who is appointed by the Directors of the University of New York<sup>2</sup> to solicit donations in some parts of Europe, for that Institution. In this capacity

I do not recommend him to your notice; because my feelings as an American are really hurt by our turning mendicants in Europe, where I think our national glory must be greatly abjured by our appearing in so disadvantageous an attitude. But as a young Gentleman of a very amiable character; & as a late brave & excellent officer in the American army, he is worthy of esteem; and your civilities may be of signal service to him as a traveller. I have the honour to be with great respect your most obedient and very humble servant.

WIL: LIVINGSTON

ALS, MHi.

1. Probably Mathew Clarkson, lieutenant colonel in the Continental army during the war.
2. The University of New York was formerly King's College.

### From Peter Shivas

June 10, 1784

May it Please your Excellency

The Bearer Mary Mulles an Indian Woman<sup>1</sup> of Discreet & sober Manners, waits on you for your advise and assistance on account of Some Land in this Township<sup>2</sup> now Disputed, they were given To their forefathers by a Certain man of the name of wells, to be inherited by them & their heirs as Long as grass grows & water runs agreeable to the Indian rule of Inheritance, now at this time another Indian sett up a Claim to half of the same, though the Bearers Father Did Claim the whole & said he purchased of the other Brothers Though the Indians say that The Female Line Inherit in Preferance To the male, if so the Bearer would be sole heir, as Heir of King—Osolowain—though her Father has made a will and Left The Land to be Divided Equally among his children, and as Application has been made to me in her fathers Life time to see the Matter in Dispute adjusted & as our Law cannot reach this matter Clearly, I have advised them to make application to you, she will Show you the Deeds and also her Fathers will, when I make no Doubt you will cheerfully See that justice is Done them, as I know where Else that they can Apply, I am afraid if it is Not settled Soon it

will cause Some Quarrels among them Excuse my troubling you in this matter. I remain your Excellency's Most obedient Humble Servant

PETER SHIVAS

ALS, MHi.

1. Like most New Jersey Indians, Mary Mulles was probably a Lenni Lenape.

2. Probably Brotherton (now Indian Mills), site of New Jersey's Indian reservation. For previous references to New Jersey's native Americans see WL to Josiah Foster, Apr. 10, 1781, 4:177-78.

### "Scipio"

[June 14, 1784]

SIR,

AMIDST all the political corruption and degeneracy of our grandmother Old England, it must be owned that she hath been peculiarly careful to preserve her judicial department spotless and undefiled. If one half of her Bishops have no religion, and the majority of her Parliament is bribed by the ministry, her courts of justice are still uncontaminated; and the most eminent writers on jurisprudence pronounce her judiciary institution to be the best in the world. While the English seem totally indifferent about the abilities or characters of the greatest dignitaries in the church, by often preferring to the most lucrative and distinguished benefices the younger sons of the nobility, and other bucks of inferior rank, destitute both of morals and erudition (as if religion and divinity were of less importance than justice and law) they have nevertheless constantly filled the bench with the most respectable characters both for abilities and integrity. To give a greater lustre to their higher tribunals, and to raise them above temptation, they have had the wisdom to appoint their judges during good behaviour; and given them an honourable and permanent support. This imparts to them dignity and independence; and hence the purity of their courts of justice is now perhaps the only remaining band that (amidst the wreck of publick and private virtue) holds together the pillars of that tottering nation.

In the appointment of our justices of the supreme court, we have also paid great attention to the talents and probity of those who have from time to time been advanced to that illustrious station; and excepting,

perhaps a single instance, that important feat of justice has ever since the revolution (before that period England adorned our bench with the keepers of turn-pikes and the Bullies of Brothels) reflected great honour upon the state, and exhibited ample proof of the wisdom of those who made so judicious a choice. Whether we ought not also to allow our judges a liberal support, and so to have framed the constitution as to appoint them during good behaviour, are questions that I do not intend, at present, to discuss. My purpose in this paper is only to shew that their salaries ought to be fixed, and to be commensurate with the duration of their office.<sup>1</sup> This I think essential to their independence, and to exempt them from all influence and bias. It is true that the judges under our constitution hold their commissions for seven years, and may therefore be said to be so far independent, as that they cannot, during that period, be removed unless they misbehave. But surely this independence is merely nominal, while there is no permanent establishment for their support equal to the duration of their commissions. For in order to compel them to resign (which amounts to the very same thing as a formal removal or ouster) the Legislature, which annually votes their salaries, has only so to reduce them as to become inadequate to their decent maintenance, and they must resign of course.<sup>2</sup> I do not apprehend that any future Legislature will act so unreasonable a part. But I do insist that the judges cannot be said to hold their offices with proper independence, during the term of their commissions, while they are exposed to such casualty: And as legislators are fallible men, and have their prejudices and passions as well as others, I am persuaded that it would be for the greater security of our liberties to put it out of their power. This I take to be the very spirit of the constitution, which unquestionably intended that the judges should hold their offices for seven years, unless *adjudged guilty of misbehaviour by the Council on an impeachment of the Assembly*. Every other way therefore that necessarily and eventually amounts to a divesting them of their offices, is indubitably repugnant to the constitution: For what becomes of this wise provision to secure their independence during the seven years, and which manifestly intended that they should not be removeable during that term, save only for misbehaviour, if the Assembly, either by wholly withdrawing, or unreasonably curtailing their salaries, can compel them to resign, tho' they behave ever so well? It is rendered altogether frustrate and nugatory. Be this as it may, I flatter myself that every reader who duly considers the

importance of the office, will concur with me in sentiment on the subject matter of this paper. Are not the lives, the liberties, the property, the peace and security of the citizens of this state, intimately concerned in the decisions of the Supreme Court? And ought not a tribunal of such extensive jurisdiction to be wholly independent? Be the salaries of the judges what they may (though whoever is against allowing them an honourable support, is most injudiciously parsimonious) let them be fixed and permanent.

While we were subject to Great-Britain, we appeared to be duly sensible of the grand importance of having our judges independent. The denial of this inestimable privilege was deemed an enormous grievance, against which we loudly and very justly remonstrated: And this denial is constantly held up, among other reasons assigned, for that arduous contest which has so happily terminated in our late glorious revolution. In proof of this assertion, I refer to the following acts of Congress: Their address to the inhabitants of the colonies the 21st of October, 1774:—Their petition to the King of Great-Britain the 26th of October in the same year: Their address to the people of Ireland the 28th of July, 1775: And the declaration of Independency the 4th of July, 1776.<sup>3</sup>—And surely we ought not to be more careless about the rights of mankind and citizens, when free, sovereign and independent, than we were while subject to the power of an unfeeling and arbitrary prince.—Nay, even this very prince, while he partially refused us, his then American subjects, that essential security of freemen, which he granted to the English, declares it to be one of the best securities to the rights and liberties of the subject. “I look (says he in his first speech to the Parliament) upon the independency and uprightness of judges as essential to the administration of justice, and one of the best securities to the rights and liberties of my loving subjects, and as most conducive to the honour of my crown.”

This grand security of our rights and liberties has been duly attended to by some of our sister states.

The constitution of New-Hampshire declares, “It is essential to the preservation of the rights of every individual, his life liberty, property and character, that there be an impartial interposition of the laws and administration of justice. It is the right of every citizen to be tried by judges as impartial as the lot of humanity will admit. It is therefore not only the best policy, but for the security of the rights of the people, that

the judges of the Supreme (or Superior) Court, should hold their offices so long as they behave well; and that they should have honourable salaries ascertained and established by standing laws. And in the government of this state, the three essential powers thereof, to wit, the Legislative, Executive, and Judicial, ought to be kept as separate and independent of each other, as the nature of a free government will admit."

In the constitution of Maryland is this provision: "The independency and uprightness of judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people. Wherefore the Chancellor and Judges ought to hold commissions during good behaviour, that salaries liberal, but not profuse, ought to be secured to them during the continuance of their commissions."

The constitution of Pennsylvania provides, "That the judges of the Supreme Court of Judicature shall have fixed salaries."

By the constitution of Virginia, "The judges shall continue in office during good behaviour, and shall have fixed and adequate salaries."

And by that of North-Carolina, "That the Judges of the Supreme Courts of law and equity shall hold their office during good behaviour, and shall have adequate salaries during their continuance in office."

I shall conclude by observing, that to settle a permanent salary upon the Judges, is to deal fairly and candidly with them. But is it fair and candid, after they have accepted the office, in expectation of the continuance of the salary then granted, and after having turned their attention to improve themselves in the knowledge of the law, and quitted their former employments; is it fair, I ask, after this, to make those annual reductions according to the particular humours of different Legislatures, to which stipulation the officers are no parties, as they were to the original contract? Do not the like services of one year deserve as great a recompence as those of another?—Were the salary fixed, the officer would be able to judge with some certainty, at the time of his appointment, whether he could, consistently with his duty to himself, his family and the publick, accept of that function, and relinquish the pursuit of other business: But in the fluctuating case of yearly retrenchments, his stipend may at last become so curtailed, as that he would not, had he foreseen it, have accepted of the appointment; but still in his then situation, he cannot, with convenience, either continue in, or resign his office. For we know from constant experience, that a man

who frequently changes his profession or employment, seldom prospers in the world.

SCIPIO.

*N.J. Gazette*, June 14, 1784.

1. WL had formulated his opinion on judicial tenure in 1760, when he attacked the position of New York's lieutenant governor Cadwallader Colden, who believed judges should serve at the king's pleasure. WL and other New York Whigs believed commissions should remain in force during good behavior. At that time WL and his colleagues, William Smith, Jr., and John Morin Scott, also advocated that assemblies not set a permanent salary for judges but rather keep judges dependent on and subservient to the assembly by voting yearly on their salary appropriations (William Smith, Jr., *The History of the Province of New York*, 2 vols. [Cambridge, Mass., 1972], 2:253–55).

2. All judges in New Jersey were appointed by the legislature, with supreme court judges serving seven years while inferior court judges served for five years. All could be removed for misbehavior (New Jersey Constitution in *New Jersey in the American Revolution, 1763–1783*, Larry R. Gerlach, ed. [Trenton, 1975], 212–17). For the development of courts in New Jersey see 1: 141n, 142n, 272, 321n, 339–41.

3. Refer to *JCC*, 1:90–101, 115–22; 2:212–18; 5:510–16.

## From Henry Brockholst Livingston

New York 19 June 1784

My dear Sir,

Mrs. Hicks is determined to stand a suit.<sup>1</sup> She has desired Hamilton<sup>2</sup> to appear for her, & to litigate the matter to the last. He is to enjoin Proceedings at Law & to work upon the Compassion of a Chancellor.<sup>3</sup> So that you need not be surprised at hearing of a bill's brief filed against you, to which your wife is to be made a party, to discover whether Mr. Hicks ever gave his Notice of the money's being lodged with him agreeable to the directions of your Letter. This advice Mrs. Hicks has received from Mr. Silvester.<sup>4</sup> It is diametrically opposite to Hamilton's opinion. He thinks your offer fair, and that Mrs. Hicks is badly advised not to accept of it.

For my own part I have but little doubt about a decision in our favor, if a Chancellor, is obliged to determine according to law, and yet I could wish to have the affair settled in another way if possible. With Mrs. Hicks obstinacy I see no other remedy, & until I am otherwise directed shall in the course of eight or ten days commence a suit against her.

Mr. Read<sup>5</sup> has sent me £20 on account of his bond for which I have

given you credit in my account against you. There are above twenty Pounds State due, & until he discharges these sums, he should not have his bond. I really forget the balance of my last account against you. I wish you to mention it in your next letter to enable me to make out my next.

Mr. Dean has not paid me—he requests a months time.

I hear nothing from Mr. Bray,<sup>6</sup> to whom I have written a second letter on the subject of your bills against the Van Hoesens.<sup>7</sup>

I have also written to Colonel Cantine<sup>8</sup> requesting a positive answer [about?] whether he means to purchase your Right in the Oriskensi Patent.<sup>9</sup>

I have mentioned to Cousin Philip Livingston your demand against his father's Estate.<sup>10</sup> He says there will be amply sufficient to pay the whole, & is much hurt at a contrary Idea's prevailing.

I had written to Mr. Houston<sup>11</sup> about my Notes, & in his answer he acknowledges his having them, but gives one no hopes of to any parts being paid.

I wish it was in my power to pay you a visit of a few days, but having no clerks, I am under the necessity of keeping almost constantly at home. I have been very unwillingly dragged into several offices, which are a great hindrance to my private business. I am a Regent & [ . . . ] of the University.<sup>12</sup> Am Clerk of the Presbyterian Corporation, & one of the Clerks in Chancery. The last begins to be of some little project. I am etc.

BROCK. LIVINGSTON

ALS, MHi.

1. See Charlotte Hicks to WL, May 31, 1784.
2. Alexander Hamilton.
3. Composition of a chancellor: the preparation of a brief to be presented in a court of chancery.
4. Peter Silvester.
5. Probably James Reed.
6. John Bray.
7. The Van Hoesen family of Albany was engaged in a land dispute with the Van Rensselaer family in which Henry Brockholst Livingston was to appear as cocounsel with Peter Yates. Yates had written WL for his notes and brief from an earlier dispute between the families in which WL had served as counsel. Refer to Peter Waldron Yates to WL, Feb. 28, 1784 (MHi).
8. Col. John Cantine.

9. For the most recent reference to the Oriskany Patent see Henry Brockholst Livingston to WL, Nov. 11, 1783.

10. WL had been unable to settle his demands against Philip Livingston's estate until the return of Philip Philip Livingston from Jamaica. See Henry Brockholst Livingston to WL, Nov. 28, 1782, 4:490–91. For reference to WL's demands against the estate see WL to Catharine Lawrence, Apr. 21, 1781, 4:182–83.

11. Probably William C. Houston.

12. For previous reference to the University of New York see WL to John Adams, June 10, 1784.

## From Henry Brockholst Livingston

New York, 22 June 1784

My Dear Sir,

Our Law for the speedy sale of confiscated Property made its appearance in print for the first time this morning.<sup>1</sup> I was not a little surprised in running it over to find that no demands against such Property can be exhibited except by Persons who were Inhabitants of this State on the 9th July 1776.<sup>2</sup> As you do not fall within this predicament you will be obliged to apply elsewhere for your claim against the Estate of Mr. Bayard<sup>3</sup> & that you may be guilty of no lache<sup>4</sup> in New Jersey, I have given you the first earliest Intimation of the illiberality of our Law in this Respect. I Shall get your bills from Mr. Smith,<sup>5</sup> & bring them with me on Saturday next, when I propose paying you a visit. I Shall also take with me the law I have mentioned, that you may Judge yourself whether you are entitled to the relief given thereby to the Creditors of Attainted Persons I think you are not. Adieu—

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Refer to "Act for the speedy sale of the confiscated and forfeited Estates within this State, and for other Purposes therein mentioned" (*Laws of New York*, Seventh Session, 102–17).

2. According to the act, claims were only valid between July 9, 1776, the date of the adoption of the Declaration of Independence by the New York Provincial Convention, and the date the property was confiscated. The residency requirement in the act is not clearly stated. WL moved to New Jersey in 1772 (1:5–6).

3. For the most recent reference to WL's claims against the Bayard estate see WL to James Duane, Jan. 30, 1784.

4. lache: undue delay in asserting a legal right or privilege.

5. Thomas Smith.

## To Ezra Stiles

Elizabeth Town 6th July 1784

Reverend Sir

The bearer Colonel De Miranda<sup>1</sup> is a south american; & 'tho' born & educated in the dominions of his catholic Majesty, is as great a Son of Liberty & as much pleased with our Revolution, as any American in the northern hemisphere. He is a young Gentleman of a liberal education; &, for one of his years, of very extensive knowledge. Having travelled thro' all the United States to the Southward of Connecticut, he intends to visit the eastern ones.<sup>2</sup> As he appears to have a great thirst for knowledge & information, I have taken the liberty to recommend him to your notice; & I doubt not you will be pleased with his company, & with the intelligence he will be able to give you in return for your communications to him. I am Sir your most obedient & very humble Servant

WIL: LIVINGSTON

ALS, CrY.

1. Francisco de Miranda, renowned Venezuelan patriot (Syrett, *Hamilton Papers*, 3: 504, 585–87n).

2. De Miranda had travelled throughout the Carolinas, Pennsylvania, Delaware, New York, and New Jersey. He later visited Connecticut, Rhode Island, Massachusetts, and New Hampshire before sailing for Europe in December 1784 (*The Diary of Francisco de Miranda, 1783–1784*, W. S. Robertson, ed. [The Hispanic Society of America, 1928]).

## From Samuel Hardy

Annapolis August 2, 1784

Sir,

By order of the United States in the Committee of the States assembled I have the honor to inform, that an Exchange of Ratifications of the Definitive Treaty of peace between the United States and His Britannic Majesty, was made on the 12th. day of May 1784 at Passy in France by the respective Ministers of the said powers. A Copy of that

on the part of His Britannic Majesty as transmitted to Congress, I enclose for your further information.<sup>1</sup>

The Committee of the States offer your Excellency and the Legislature of the State over which you preside their most hearty Congratulations on the happy completion of this important and very interesting business, and pray the Almighty disposer of all events long to continue to these United States the blessings of peace and to have them constantly in his most holy keeping. I am with perfect respect and regard Sir Your Excellency's most obedient & most humble servant.

S. HARDY

LS, Nj.

1. For the full text of the treaty, signed by George III on Apr. 9, 1784, refer to *JCC*, 27:617–24.

### “Scipio”

[August 23, 1784]

SIR,

STRANGE it is, that a man who is ever obtruding his advice upon others, should not be able in his turn to take the salutary counsel of Scipio, *to write not at all*. For considering his talents for composition by the specimen of his *advertisement*,<sup>1</sup> and the great probability there was of his making the matter worse and worse, the longer he continued his publications, all the world agreed that it was the most wholesome and friendly admonition that could be given. But instead of governing himself accordingly, the publick is again pestered with his elaborate subtrefuges to elude a fair trial. For those very *exparte* affidavits, by which he hath already imposed upon a former assembly, are now ushered into this breathing world, with the like ungenerous design of misleading the people. He well knows that they are no evidence, for he has been a judge under our constitution, as well as a humble servant to General Howe,<sup>2</sup> and a liege subject to king George after having sworn allegiance to the state. But if *they were* legal proof, to what do they amount? Do they prove that the money lost was all the publick money of which he was possessed?—No. That it was not lost through his neglect, or by deliberate design?—No. That he had not secured the better half of it to

his own use, before the pretended accident?—No. That he could not easier have crossed the Delaware and been perfectly safe, than to have fetched such a circuitous route as he did before he threw himself at the feet of the British General, who, I dare say, was not the less complaisant to him for wandering with the money from Dan to Beersheba,<sup>3</sup> until it fell so cleverly and so slyly into the enemy's hands?—No. In short, there never was a more impudent attempt to elude the justice of the country, than thus to prejudice the people in his favour by publishing *exparte* affidavits, before the state has had an opportunity to produce their evidence against him. Does he mean to have the cause tried in the news-papers? or by some tory jury in the swamp? If I could really persuade myself that our Legislature would refuse their constituents their undoubted right of a legal prosecution against him, and that the cause must be finally determined by a paper war, I should assume a very different manner of writing. I have hitherto never asserted that he is guilty, because I want not to pre-judge the cause, but to have him tried by an impartial jury of his country. But if the good people of this state cannot obtain that manifest piece of justice, and the affair must be decided by the world at large, I shall also take affidavits. I shall *dissect* his affidavits. I shall adduce law. I shall sum up evidence. I shall disprove the falsehood of his going into the enemy's lines on account of the indisposition of his family, which, with notable impudence, and all the solemnity of oath and eyebrow, hath been so frequently asserted.<sup>4</sup> I shall prove that he was determined to take a protection before the enemy entered Trenton; and, in one word, I shall draw him in his true colours. But this, my dear countrymen, besides the disagreeableness of the task, would not produce the cash. It would not alleviate your taxes. It would not judicially convict this man of mal-practice in his office; nor prove him upon record an apostate and turn-coat. I want a fair trial; and I am told that some of his best friends are so sensible of the absolute necessity of such a trial, to vindicate his character, if he be really innocent, that they threaten to desert him, unless he calls for it himself.

To these ridiculous depositions Mr. Advertiser has been pleased to subjoin the titles of several acts of Assembly, for the relief of certain publick officers, respecting the loss of certain sums of publick money, of which they had been respectively robbed or plundered.<sup>5</sup> He has indeed shewn the modesty not to draw any express inference from those acts, or explicitly to apply them to his own case. He knew that there was not the remotest relation or affinity between them. And yet the more art-

fully to draw his less observant readers into this error, he says in the introduction to his paper, that they are *almost similar* cases. *Almost similar!* and what is that? Is not a cat almost similar to a king, since each of them has one nose, two eyes, two ears, and are generally both of them animals of prey? *Almost similar* is not, I presume, *quite similar*; and things *not quite similar*, I also presume, may properly be called *dissimilar*. Thus the similarity of his case, to those he has quoted, amounts to this, that it is very *different* from them; or, if you will, about as much like them as an egg is to an elephant, or a *renegade* to a *faithful whig*.— This will appear evident upon the least reflection. In the instances he has collected, the Legislature acted wisely and honourably in relieving those officers. It was fully proved to both houses that they had been plundered or robbed, by publick enemies or intestine burglars.—That they took as much care of the publick money as they did of their own.—That they kept it where it ought to be kept, in their houses; and in the securest part of those houses—and that they did not cart it about the country (as a felon condemned to be whipped in every district of a county) to allure the enemy after it. Neither did it appear that one of them went into the enemy's lines under pretence of his family's being sick, when it was in perfect health. Thus while they justly obtained laws for their indemnification, he has not been able to procure more than the vote of one branch of the Legislature in his favour, the other loudly calling for a legal trial, with the whole state wondering at its being thus long delayed; and whence it is that Mr. Tucker should be the only man in New-Jersey who is not amenable to the law.

His extracts from the journals of the Assembly rather militate against him, as he thereby appears indebted to the state by his own shewing in the sum of £5818 16 3, and are only published by him for the sake of introducing, with the better grace, those darling affidavits, which he knows would, in a court of justice, avail him nothing. But since he hath set me the example of entertaining the publick by re-printing extracts from those journals relating to himself, I hope to be indulged in the liberty of concluding this paper with a short extract from the minutes of Council, and a longer one from the journals of Assembly, the first of which, how this non-argumentative logician could, as an honest man, suppress, upon the present occasion, while he professes to give his fellow-citizens a candid state of his case, as it stands upon the journals of the Legislature, is best known to himself.

“The Council having taken into consideration the report of Mr. Cald-

well, from the committee appointed the 13th December, 1780, for the purpose of settling the accounts of Mr. Tucker, late treasurer of the provincial Congress; and having deliberated on the evidence produced by Mr. Tucker in support of the last charge in his account, as stated in the journals of the Assembly of the 17th of February, 1777,

*Resolved*, That this house do disagree to the said last charge, as stated in said Mr. Tucker's account.

*Resolved therefore*, That the Attorney-General of this state be directed to recover the said balance of Five Thousand Eight Hundred and Eighteen Pounds Sixteen Shillings and Three-pence, or such part thereof as may appear to be due from the said Mr. Tucker, and to pay the same into the hands of the treasurer of this state for the time being."

The following extract is only intended to shew that this gentleman is an old sinner in the business of accusing and persecuting others, when himself is the criminal; though had it not been for his surreptitiously concluding his piece with four lines from a celebrated poet,<sup>6</sup> without giving the least credit to the author, I should really have hoped that he had quitted another branch of his quondam business, considering with what a rubber he met at his first sitting out. See Barne's cases *de latrocinii clam & secreta*,<sup>7</sup> title *Porteseuille*.—Lib. H. fol. 133.

*Friday, November 3, 1769.*

"*Resolved nemine contradicente*,<sup>8</sup> That the said Samuel Tucker hath charged fees in his account against the plaintiff, Thomas Prior, junior, not allowed by law.

*Resolved*, That he hath taken poundage on £.805 15 11 1/2, when he recovered only £.130 for the plaintiff; therefore he hath overcharged the plaintiff £. 8 8 10, and £.1 5 for advertising and attending not allowed by law."

*Saturday, November 4, 1769.*

"The house resuming the consideration of the matter heard and referred yesterday, Mr. Tucker desired leave to withdraw during the determination thereon; and he withdrew accordingly. Whereupon, after some time spent therein,

*Resolved*, That it is the opinion of this house, that the taking of fees by any sheriff or other officer of this government, other than those that are allowed by the laws of this province, is *illegal*, a *high misdemeanor*, and a *very great grievance*.

*Resolved*, That it is the opinion of this house, that the said Samuel Tucker hath taken *excessive* and *illegal* fees, and that the same is *oppressive*, and a *very great grievance*.”

This was the result of a prosecution he set on foot (to render himself popular) against the lawyers, for charging exorbitant fees, of which not one of them was convicted, if you except about a half-crown article in the case of Mr. Legrange,<sup>9</sup> who, like himself, joined the enemy in the late war. But how he came off himself as sheriff of Hunterdon respecting his own extortions, the above proceedings shew. Once more, friend Tucker, write not at all, but account legally to your country.

SCIPIO.

*N. J. Gazette*, Aug. 23, 1784.

1. The *N. J. Gazette* on July 5, 1784, published a series of depositions and extracts from the records of the general assembly submitted by Samuel Tucker to demonstrate his innocence. Tucker maintained that faced with an imminent British invasion of Trenton late in 1776, he removed numerous papers and “valuable effects,” including £5818.16.3 in “unsigned publick money,” to the home of John and Samuel Abbott in Burlington County. After Howe occupied Trenton, he sent troops to the Abbott house, where they seized all the papers, including the money. Tucker introduced several affidavits, including one by Samuel Abbott, to support these contentions.

2. Sir William Howe.

3. Refer to 2 Samuel 17:11, and see “Scipio,” [Apr. 13, 1784], and n.6.

4. Tucker was captured behind enemy lines, held prisoner, and then released on parole. He claimed to be returning home in response to a report that his wife and children were ill (*N. J. Gazette*, July 5, 1784).

5. Included in Tucker’s advertisement was a series of “laws passed by the Legislature in almost similar cases” providing relief or release from payment to individuals whose public monies had been stolen (*N. J. Gazette*, July 5, 1784).

6. Tucker concluded his defense with the following verses:

When wanton nature in a sportive mood,  
Had finish’d all her works, and call’d them good,  
She summon’d all the lees and dregs she had,  
And form’d thee Scipio, and pronounc’d thee bad.

(*N. J. Gazette*, July 5, 1784).

7. *de latrocinis clam & secrete*: on robbery, unknown and secretly.

8. *nemine contradicente*: no one dissenting.

9. Bernardus Lagrange. For previous mention of Lagrange, see WL to Levinus Clarkson, Nov. 16, 1781, and n.4, 4:330–32.



*“To tarnish the glory”  
National Virtue and the  
Constitutional Convention*

*September 21, 1784—  
October 25, 1787*

As Gov. William Livingston noted in an essay published on Jan. 9, 1786, Americans after the war grew increasingly unwilling to pay their taxes, while they indulged themselves with luxuries. Moral laxity in the American people was causing them to ignore the demands of Congress for the funds necessary to extricate “our country from the debt she has contracted, in order to secure to us and our remotest posterity, peace and happiness and safety and liberty and independence.” This decline of virtue put society in turmoil. Its effects were seen at all levels as bachelors avoided marriage, women coveted luxuries, parents neglected their children’s upbringing, and debtors avoided paying their just debts. Livingston and other patriots believed such dissipation threatened the very existence of the republic which was founded on the virtue of its citizens. “Is there nothing else,” Livingston continued, “to tarnish the glory, and sully the lustre of the renown we acquired by baffling the machinations of Britain, to reduce us to perpetual vassalage?”<sup>1</sup>

Particularly threatening to New Jersey was the monetary crisis, which split the state into hard-and-soft money advocates, with the former headed by William Livingston and the latter by Abraham Clark. By mid-decade, the chronic shortage of money was worsened by a nationwide economic depression. The members of the legislature were by

necessity responsive to the needs of the numerous small farmers who voted them into office. The emission of more paper money to people who were chronically short of cash was recognized by such egalitarians as Abraham Clark as one way to ease the tax burden and quiet popular discontent within the state.

The paper money solution was of benefit to debtors but potentially harmful to creditors, who feared old debts contracted in specie would be paid off in inflated currency. Livingston and other creditors in the state lost heavily when the assembly on Dec. 8, 1784, passed a measure to make such payment lawful.

The 1784 act provided only temporary and limited relief for debtors, and in 1785 numerous petitions were directed to the legislature from Monmouth, Morris, Somerset, Burlington, Sussex, Salem, and Essex counties asking for more paper money. Voters assured their request would be honored in October 1785 by electing sixteen new members in the assembly and eight new members in the council, all of whom favored paper money.

In November the assembly considered a bill to emit £100,000 in paper currency. In an effort to curb the paper money advocates, Livingston, using the pseudonym "Primitive Whig," launched a major counter assault in a series of six essays in the *New Jersey Gazette*. In these essays Livingston attacked all the ills he recognized in American society, including the "lazy, lounging, lubberly fellow sitting nights and days in a tipplinghouse, working perhaps but two days in the week, and . . . spending the rest of his time in squandering those his non-earnings in riot and debauch, and then complaining, when the collector calls for his tax, of the hardness of the times, and the want of a circulating medium."<sup>2</sup>

Livingston was disgusted with such perceived decadence and with affectation in all its forms, calling attention to the farmer who refused to pay his taxes while his three daughters took dancing lessons from a French master and wore clothes made of imported fabrics, "when they ought every one of them to be at the spinning-wheel." He defended the creditor whose interest "coincides with that of the community. Not so the interest of the debtor. The former desires no more than his own. The latter wants to pocket the property of another."<sup>3</sup>

Paper-money advocates promptly retaliated with a series of responses to the "Primitive Whig." One such advocate called attention to "a set of self-interested beings, whom, from principle of self-interest, would

grind the face of the poor and needy.” The writer, who signed himself “A Farmer,” heaped censure on “hard-hearted creditors, who through self-interest, are hurrying the poor debtor to the last extremity.”<sup>4</sup> Many respondents urged the legislature to approve the emission of paper money.

Livingston answered his critic’s charge that hard money advocates were heartless and concluded his attack on paper money by publishing a supposed letter from a woman in his last “Primitive Whig” essay. Under the pseudonym “Martha Hardlines,” Livingston attempted to show that creditors of all classes suffered from paper money. In this presumably fictional case, the poor Widow Hardlines was repaid the debts owed her husband in “depreciated continental money,” which reduced her “to the drudgery of a scullion.”<sup>5</sup>

Livingston’s efforts were fruitless. On May 26, 1786, the paper money advocates in the legislature passed a loan office act. This act, in addition to offering low interest loans to debtors, also provided for the emission of paper money. The effect of this measure on creditors such as Governor Livingston was financially devastating. The governor and other members of the creditor class were appalled by the actions of the legislature, which had so willingly and easily responded to the demands of the farming majority in the state.

Although the hard- and soft-money factions differed on methods of alleviating financial distress in the state, they were in agreement that New Jersey should not be oppressed by larger and wealthier states. Their unity on this issue was evident in the state’s defiance of the Continental Congress, which had attempted to resolve the nationwide financial crisis on Apr. 18, 1783, with a long-range plan to raise revenue from the states. The proceeds were to be used to pay off the interest on the foreign and domestic debts. To become effective, the plan needed the approval of all thirteen states. For this reason New Jersey was skeptical of the revenue plan ever becoming effective.

Nevertheless the assembly attempted to comply with the requisition and in June 1783 passed an act to raise money. The act stipulated that \$56,000 be turned over to Joseph Borden, the continental loan officer for New Jersey. The money was to be used to discharge one year’s interest on loan office certificates due creditors in the state from the United States. Only six months later, in December 1783, the failure of other states to pass similar revenue-raising measures caused the assembly to pass an amendment to this act. The new act directed the state’s trea-

surer to pay the money directly to security holders without contributing any money at all to the Continental Congress. The state based its refusal to honor the congressional requisition on the fact that other states retained revenues from tariffs and from western lands that should properly have gone to the federal government. The position was a logical one for the state to take since New Jersey had no significant overseas trade and claimed no western land.

In February 1786 the assembly again voted not to honor a Sept. 27, 1785, congressional requisition for \$166,716. The assembly's action was correctly interpreted by Congress as a serious threat to its dignity and effectiveness, already impaired by the failure of its own representatives to attend sessions and, once there, to act decisively. Consequently, on Mar. 12, 1786, Congress sent three emissaries to New Jersey "for the purpose of remonstrating to the assembly on their act of the 20th: ultimo respecting the requisition of September last."<sup>6</sup> The commissioners, Charles Pinckney, Nathaniel Gorham, and William Grayson, were aware that New Jersey's reluctance to comply with Congress' request sprang from the belief that other states would never approve the impost. Hence, while pressuring New Jersey to comply, they tacitly admitted that under the existing constitution Congress was powerless to act. They consequently recommended that New Jersey add its call to Virginia's for a meeting of all the states to amend the Articles of Confederation. The assembly agreed and on Mar. 21, 1786, appointed Abraham Clark, William Churchill Houston, and James Scheureman to meet with the representatives of other states at Annapolis.

New Jersey was one of only five states that sent delegates to the Annapolis Convention, called initially at the behest of Virginia to investigate improving "commercial regulations"<sup>7</sup> for the new nation. The poor showing made it impossible for the delegates present to act since any measure passed would not be respected either by the Continental Congress or by the individual states. Consequently the delegates voted to call for a second convention to convene at Philadelphia the following May.

New Jersey, alarmed by conditions in the nation in general and the state in particular, complied promptly with this suggestion. The governor, fearful of anarchy and fiscal chaos, and desiring to curb the already excessive power of the state's legislature, fully concurred. On Nov. 23, 1786, the council and assembly appointed delegates to act as commissioners in Philadelphia "for the purpose of taking into Consideration the State of the Union as to trade and other important objects, and of

devising such other Provisions as shall appear to be necessary to render the Constitution of the federal Government adequate to the exigencies thereof.”<sup>8</sup>

Virginia was also prompt to act and on Dec. 6, 1786, Gov. Edmund Randolph wrote to Gov. William Livingston to inform him that the state had elected convention delegates. Despite the promptness of New Jersey and Virginia, the Philadelphia Convention might well have been as poorly attended as that at Annapolis but for “disorders in Massachusetts” which “seem to be hardening fast to a crisis.”<sup>9</sup> Debt-ridden farmers in that state, led by revolutionary hero Daniel Shays, were unable to pay their mortgages. Terrified that state courts would foreclose on their farms, the farmers closed the courts. The embattled farmers were suppressed in January 1787 by the state militia under Gen. Benjamin Lincoln when they attacked the arsenal at Springfield. Shays left the state the following month after suffering a second military defeat.

The threat of such renewed internal dissension, following so soon on the heels of the Revolution, was sufficient to convince many that a more powerful central government was needed to maintain order. As Livingston noted in his Feb. 17, 1787, letter to Elijah Clarke, postwar conditions in the new republic were “truly deplorable.” Not only was the new nation groaning under a burden of debt which the states refused to pay, but also the nation was faced with the prospect of anarchy. As Livingston continued, “we do not exhibit the virtue that is necessary to support a republican government.” Unless, Livingston concluded in his letter to Clarke, there was “a speedy alteration of measures, I doubt whether you and I shall survive the existence of that liberty for which we have so strenuously contended.” He concluded that he feared “that we shall not be able, for ten years from the date of this letter, to support that independence which has cost us so much blood and treasure to acquire.”<sup>10</sup>

Members of the Continental Congress shared these fears. Consequently, on Feb. 21, 1787, Congress authorized the Philadelphia convention to meet “for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the federal Constitution adequate to the exigencies of Government and the preservation of the Union.”<sup>11</sup>

Those states that had not already done so now promptly named dele-

gates. In New Jersey, the legislature appointed the governor himself, Abraham Clark, John Neilson, William Paterson, David Brearley, Jonathan Dayton, and William Churchill Houston to the Philadelphia Convention. Abraham Clark, who was also a representative to the Continental Congress that met in New York, declined to serve, as did John Neilson. William Churchill Houston, ill with tuberculosis, attended only a few of the sessions. William Paterson attended until he returned to New Jersey at the end of July.

The Philadelphia Convention convened on May 14, 1787, in the State House. A quorum of seven states was present on May 25 and the business of the convention began on May 29. The delegates promptly realized it was easier to begin afresh with a new plan of government rather than attempt to revise the existing constitution. Madison's Virginia Plan, offered to the convention on May 29, proposed what was essentially a new constitution. It was rejected, as was Paterson's New Jersey Plan. After accepting the Connecticut Compromise, adopted by the convention on July 16, the delegates in the closed convention went on to iron out the details of government.

Governor Livingston arrived on June 5 and according to the recollections of James Madison, made little contribution to the oratory of the convention. Livingston's silence was predictable for a man who was known as a poor public speaker. This fact was seized upon by such political enemies as "Cincinnatus," who noted in his satiric essay of 1779 that New Jersey's governor "ought to be a man who never *did*, who never *will*, and who never *can* speak in any publick assembly: for it is as great a shame for a Governor to be able to speak in publick, as it is for a woman to speak in the church."<sup>12</sup>

Despite his inability to speak in public, Livingston made significant contributions to the Convention through his committee work during the long hot summer. He served on committees that dealt with such vital issues as state debts, navigation acts, and the slave trade. Livingston chaired the committee that examined the question of state debts. This committee submitted its report on August 21, recommending that Congress assume these debts. The convention agreed on August 30.

The questions of trade and slave importation were also referred to a committee with William Livingston as chairman. This Committee of Eleven consisted of Livingston, John Langdon, Rufus King, William Samuel Johnson, George Clymer, John Dickinson, Luther Martin, James Madison, Hugh Williamson, C. C. Pinckney, and Abraham Bal-

dwin. They began their discussions on August 22. Two days later, Chairman Livingston reported the terms of the bargain struck between North and South, a bargain he loathed because of his opposition to slavery and the slave trade. As Livingston acknowledged to Quaker James Pemberton, it was better to compromise than to “run the risque of obtaining nothing; it is then prudence not to insist upon it; but to get what we can; & which obtained paves the way for procuring the rest.”<sup>13</sup> Other antislave-trade delegates agreed and the committee recommended that Congress should not interfere with the slave trade until 1800 but could tax slave imports. After a further lengthy debate among the delegates, the date for ending the slave trade was moved up to 1808.

Having established the form of the new government during the summer of 1787, the convention met for the last time on September 17 with forty-five members, including William Livingston, present. The convention had exceeded its legal right of existence by abandoning the old Constitution and adopting a new one. Under the new Constitution the federal government now had the right to act directly on each individual thus providing a measure of control and coercion that had been lacking under the Articles. In addition, the Constitution provided a means to curb the power of the states’ legislatures. Livingston, Brearley, Houston, and Dayton on Oct. 25, 1787, informed the New Jersey Legislative Council that “the Commissioners so convened did after long and serious deliberation & with no small difficulty, finally agree upon a Plan for the Government of the said United States.”<sup>14</sup> The major battle had been won, but the war over ratification between Federalists and Anti-federalists was yet to be waged.

1. “Primitive Whig,” No. 1, [Jan. 9, 1786].
2. “Primitive Whig,” No. 1, [Jan. 9, 1786].
3. “Primitive Whig,” No. 2, [Jan. 16, 1786].
4. Answer to “Primitive Whig” (A), [Feb. 6, 1786].
5. “Primitive Whig,” No. 6, [Feb. 13, 1786].
6. Charles Pinckney, Nathaniel Gorham, and William Grayson to WL, Mar. 12 [11], 1786.
7. Edmund Randolph to WL, Feb. 19, 1786.
8. Appointment of David Brearley, William Churchill Houston, William Paterson, and John Neilson, Nov. 23, 1786.
9. Charles Thomson to WL, Dec. 14, 1786.
10. WL to Elijah Clarke, Feb. 17, 1787.
11. Refer to *JCC*, 32:71–74.
12. “Cincinnatus,” vol. 3:183–86.
13. WL to James Pemberton, Oct. 20, 1788.
14. WL to the Legislative Council, Oct. 25, 1787.

## Proclamation

[September 21, 1784]

Governor and Commander in Chief in and over the State of New Jersey and the territories thereunto belonging. Chancellor and Ordinary in the same.

WHEREAS the Honorable the Committee of the States, by their resolution of the 26th day of July [1784],<sup>1</sup> reciting, "That whereas there is reason to apprehend there are in different parts of the United States, articles of quartermasters and military stores, cloathing, etc. the property of the United States, which have accidentally fallen into the hands of private citizens, or remained in the possession of persons formerly, but not at present, in office, of which the heads of the several staff departments have no account, did resolve, that it be thereby recommended to the Executives of the several states, to call on the citizens of their respective states to make returns forthwith of every species of public property which may be in their possessions; and the said Executives were thereby requested to forward to Congress, or the Committee of the states, a general return of such articles, the property of the United States, as they find to be in the possession of their citizens, or any of them, in which shall be specified the names and places of residence of the persons in whose possession they are," as by the said resolution may appear. I have therefore thought fit, in compliance with the said recommendation, and in pursuance of the said resolution, hereby to call on the citizens of this state to make returns to me forthwith of every species of public property which may begin the repossessions, in order that such return may be made of the same as in the said resolution is specified.

Given under my hand the thirtieth day of August. One Thousand Seven Hundred and Eighty four.

WIL: LIVINGSTON.

*N.J. Advertiser*, Sept 21, 1784.

1. For the congressional resolution refer to *JCC*, 27:600.

## From Isaac Tichenor

Bennington September 26. 1784

Sir,

Mr. Kelly<sup>1</sup> favd me with a Line from your Excellency upon the Subject of your Lands in Royalton.<sup>2</sup> I have conversed with a Number of the Members of Council respecting your [ . . . ] the Land in Question. [ . . . ]ony motives I am persuaded the Council and Legislature of this State will be influenced to give your Excellency any redress, that may be consistent with their proceedings in the segment of Royalton. To effect this it will be necessary that your Title to those Lands be laid before the Legislature at their next Session which will be on the [10th?] of October next. In Case redress cannot be obtained in this way, I conceive your right at Law cannot be disputed, notwithstanding the Grant made by this State. I am Sir, your Excellency's Obedient and Humble Servant

ISAAC TICHENOR

ALS, MHi.

1. John Kelly.

2. For background on WL's Royalton, Vt., lands see WL to Catherine Lawrence, Apr. 21, 1781, n. 6, 4:182-84.

## To Samuel Dick

Elisabeth Town 11th October 1784

Upon *Sir*, receiving the letter,<sup>1</sup> of which the inclosed is a copy, I immediately wrote to Colonel Beatty as being nearer to me than any other of our Delegates; but he is not only Sick, but dangerously ill. I therefore take the liberty to apply to you on the subject matter of Mr. Thomson's letter; and I am the more induced to do so, as Mr. Beatty, by his Amanuensis (being too sick to write him self) seems to intimate that it is your turn to go; or rather says that he thinks you can best attend at Philadelphia:<sup>2</sup> and I should be sorry that our State should be the occasion of any delay in the proceedings of Congress: And it being impossible for

me to answer Mr. Thomson's letter, with any tolerable degree of certainty as to the prospect of the committee's being joined by one of our Delegates, shall I beg the favour of you to send him a line on that Subject? You see Sir that we cannot engage in public business without its inseperable Attendant, *Trouble*; and I have reason to think that few men are more ready to sacrifice their private interest to the public emolument, when once engaged in it, than my old friend Colonel Dick. I am Sir with great respect Your most humble Servant

WIL: LIVINGSTON

Burnett, *Letters*, 7:592.

1. On Sept. 27, 1784, Charles Thomson had asked WL to urge a New Jersey delegate to attend Congress at Philadelphia. Georgia, South Carolina, Virginia, Delaware, and Pennsylvania were the only states fully represented on the date Thomson wrote to WL (MHi).
2. Samuel Dick was in attendance by Nov. 1, 1784 (*JCC*, 27:643).

### From John Livingston

Montreal 11th. October 1784

I have already troubled You with a Letter,<sup>1</sup> soliciting your aid & assistance in procuring me possession of my Seigneury on Lake Champlain.<sup>2</sup>

I have been since informed, the people of Vermont pretend a claim to my Lands by grants from the Governor of New hampshire.<sup>3</sup> And one of the Allens<sup>4</sup> in conversation with a friend of mine lately, did not deny I had a good Title, but had the assurance to say, they would Keep my Lands, & give me others elsewhere. This being the case, it has ocured to me, that a letter from You, to the Governor of New hampshire,<sup>5</sup> desiring him to inform You if it is by authority of their Government, that these people are settled on my Lands, or whether their Government mean to protect them, would have a good effect, at least, it will be a sure ground to support the application to Congress, in case, he disavows it is by their Authority.[ . . . ] approve this measure, I hope you will [excuse] the importunity, from your regard to Justice, as well as friendship for my Family. I am, with great regard & respect, Sir, Your most obedient humble Servant.

JOHN LIVINGSTON

ALS, MHi.

1. Refer to John Livingston to WL, Sept. 20, 1784 (MHi).

2. Until 1764 the accepted eastern boundary of New York was a line running north from the western limit of Connecticut on Long Island Sound to Lake Champlain. In 1764 King George III, by order in council, moved the boundary eastward to the Connecticut River. The Livingstons based their claims to the lands on Lake Champlain on 1686 colonial patents granted by Gov. Thomas Dongan to the Manor of Livingston. Refer to James Duane, *State of the Evidence and Argument in Support of the Territorial Rights and Jurisdiction of New York against the Government of New Hampshire . . .* (1784), 73.

3. For a detailed discussion of New Hampshire's claims before Congress see Elias Boudinot to WL, Oct. 23, 1782, 4:478–83.

4. Probably Ira Allen.

5. Meshech Weare, president of New Hampshire.

## From Baron Von Steuben

New York 14 October 1784

Sir

The opinion I intertain of your friendly disposition towards me, induces me to address you on a subject in which I am deeply interested.<sup>1</sup> At my time of life you will easily conceive my dear Sir, it is essential to me to decide upon that plan which affords me the fairest prospect of being able to spend the remainder with satisfaction. At all events I must come to a determination; and that determination will depend on the fate of an appeal which I shall shortly make to the justice and generosity of the United States. Tired of the bustle of ambition, desirous of repose and attached from sentiment to a country for the service of which I have made important sacrifices and at a critical moment risked my fortunes and my honor—I shall be happy if that country will put it in my power to indulge my partiality for it by remaining its citizen. This I confess to you is the first wish of my heart. If I am disappointed I must return to Europe, to avail myself of the resources which that part of the world may afford me.

It would seem to me that so adventrous a step as that which embarked in the late revolution an old Soldier, with reputation to lose—to say nothing of the relinquishment of offices, and emoluments—has some claim to the Mention of the Nation in [ . . . ] was taken especially [ . . . ] project for which it was taken.

It would also seem to me that when it is acknowledged, not only by

the general voice of the citizens, but by the records of the state that the services of such a person have contributed to the attainment of that object in a manner that intitled him to public distinction, it is not unreasonable for him to expect that that distinction will be accompanied by such a provision as will enable him to enjoy it.

It is an indelicate task for a man to detail his own merits, but if as Congress have declared I have been eminently useful in giving form and discipline to the American Army; and by introducing a spirit of order and oeconomy, have been the occasion of large savings of public money. May I not with propriety expect from the public to whom those services were rendered for the remainder of an advanced life, a genteel and competent support. I know well the situation of the country. My wishes are not immoderate. They are such as a frugal republic may with prudence gratify, and such as in my apprehension the justice and honor of the government cannot refuse.

It is the practice of all nations to bestow ample rewards on foreigners who have served them usefully. Can the American Government after a contest [ . . . ] gave [ . . . ] such a provision for one whom they [ . . . ] been an useful instrument in obtaining it as well saved him from the necessity of leaving a country to which inclination binds him, in quest of resources which are denied him there?

These expostulations my Dear Sir are unnecessary as addressed to you. Your own sensibility I am persuaded will suggest more than I can offer, and you will only receive them as the effusions of feeling—dictated by a situation sufficiently critical.

The intention of this letter is briefly this: immediately after the assembling of Congress, I intend to bring my affairs with that body to a conclusion and to ascertain definitively what I am to expect.<sup>2</sup> I could wish, if such is the sense of the public bodies in the different states, that the Delegates of each, may have some intimation, no matter in how informal a manner, that it is the desire of the governments to which they respectively belong, that my application to Congress may meet with a prompt and liberal decision. This is not suggested by any distrust of Congress but because I have found from experience, that the members of that body are very properly diffident of adopting any measure which they do not know to be [ . . . ] of their Constituents [ . . . ] your influence would go far towards procuring such an intimation, and if you see nothing improper in the thing, I would take the liberty to ask your

friendship upon the occasion. I have the honor to be Your Excellency's Most Obedient Humble Servant.

STEUBEN

ALS, MHi.

1. For Steuben's attempt to procure land in New Jersey see WL to Baron von Steuben, Nov. 7, 1783.

2. On Feb. 5, 1785, Steuben petitioned Congress to recompense him for his contributions to the American war effort. Congress discussed and rejected several allotments but on Sept. 27, 1785, awarded Steuben \$7000 (*JCC*, 28: 170–71, 194–95, 198; 29: 771–74).

### To Elias Dayton

October 30, 1784

Sir

As I just hear of a quarrel between you & my Son,<sup>1</sup> I take it for granted from your prudence & his imprudence that he is in the wrong, & if the quarrel arose about the Election,<sup>2</sup> or any reflections on your family you may rest assured Sir that he is not countenanced by me in either. I never meddle with elections, nor chose that any of my family should do so; & I am still more averse that any of mine should speak ill of others. I am your most humble Servant

WIL: LIVINGSTON

ALS, OM.

1. William Livingston, Jr. For the most recent reference to WL's chronic displeasure with William, Jr., see WL to Catharine Livingston, Mar. 16, 1782, 4: 385–86.

2. The brief election campaign of 1784 ended on October 29 with WL's defeat of Gen. Elias Dayton by a wide margin. Dayton had challenged WL for the governorship with the backing of Samuel Tucker, WL's enemy. For the most recent reference to WL's dispute with Tucker see "Scipio," [Aug. 23, 1784].

### To the Assembly

Oct. 30, 1784

The Honourable the Legislative-Council and General Assembly of the State of *New-Jersey* in Joint-Meeting:

GENTLEMEN,

MY Appointment by so respectable a Body as the Representatives of this State, to the important Office of the Chief-Magistrate in it,<sup>1</sup> de-

serves my warmest Gratitude: especially as the Repetition of it, after the Experience of some Years, is the strongest Proof of the favourable Opinion which the good People of *New-Jersey* must have been pleased to entertain of my Fidelity in the Administration of the Government; and I can assure them that it is rather for the Honour derived from this incontestable Testimony of their favourable Sentiments concerning me, and the Pleasure I take in serving the Publick, than from any pecuniary Motives, that I accept of the Appointment. Upon this, I wish them to be persuaded, that with Respect to Integrity and Diligence (however they may happen to be disappointed as to my Talents or Abilities) they will not be deceived in their Expectations.

WIL: LIVINGSTON

Oct. 30, 1784, *Legislative Council* (Oct. 26–Dec. 24, 1784), 50–51.

1. For WL's 1783 reelection see WL to the Legislature, Nov. 7, 1783.

### To Susannah French Livingston

Trenton 30th Oct 1784

Dear Sukey

The little mare behaved so well in the Sulkey that I think she will not be inferior to the old one; & make you as pleasant a creature in the chaise as her dam.<sup>1</sup>

The election of the officers of Government was finished last night.<sup>2</sup> Mr. Cooper<sup>3</sup> (who is this year returned as one of the Council for Gloucester) & Mr. Tucker,<sup>4</sup> my implacable Enemies, set up General Dayton,<sup>5</sup> who had their two votes, & those of two members of the assembly for the County of Burlington, both reputed Tories, & that of a member of Gloucester influenced by their [Copper?]: and this is all the interest they could make against me, after the most indefatigable industry for that purpose. So that the general will make but an indifferent figure in the printed account of the votes with his five votes out of 43.

I still left several of the lima beans ungathered when I came away. These should all be gathered.

I hope Master Peter<sup>6</sup> will let me know how the work in the farm—which I directed to be done goes on. I expect to see Mr. Jay here daily.<sup>7</sup> My Love to all the children. I am your affectionate husband

WIL: LIVINGSTON

ALS, MHi.

1. dam: mother.
2. During the 1784 election campaign, eight new men were elected to the Privy Council.
3. John Cooper.
4. Samuel Tucker. For WL's dispute with Tucker see "Scipio," [Aug. 23, 1784].
5. Gen. Elias Dayton.
6. Peter Augustus Jay.
7. The Jays had left Paris for England on May 16, 1784. On June 1 they sailed for America from Dover aboard the *Edward*, arriving in New York City on July 24, 1784.

## From James Mott

Trenton November 17th 1784

Sir

The Act for raising a Revenue etc. passed 20th December 1783 directs that the Treasurer immediately upon Receipt of the Taxes ordered to be raised thereby, to Pay out the same in Discharge of Interest on certain Public Debts.<sup>1</sup> It must be evident to everyone that the Object of the Act, would be most Beneficially and Effectually answered by Collecting the whole Tax, or a greater part of it, before any of the Money is paid out a second time: for I am fully Convinced that had I begun to pay it out again as soon as it began to come in, and so Continued as fast as I Received, it would not have Escaped a Depreciation as the very same Bills would probably have paid two or three Taxes and this would have Effectually prevented many of those who received and gave a Credit to the Bills from having them Exchanged for Specie. But as I wish to act safely and to avoid blame [ . . . ] it can be done with propriety. If the Legislature are of Opinion I Ought to Pay out the said Bills again, as the Tax comes in, and before the whole or a greater part is Collected. It shall be done.<sup>2</sup> The sum I have Issued is about £23,000 of which about £15,000 has returned to the Treasury and is now in hand.

The same Act directs the Payment of Interest on Notes or Certificates given to the Officers and Soldiers of the New Jersey Line for their Pay and Subsistance while in service untill the Time of their Discharge and Disbandment;<sup>3</sup> It has unfortunately happened that the Notes Issued do not answer the Description set down in the Act. The Notes not having been given before the Act was passed. Nor the Act attended to in giving out the Notes. They do not specify the New Jersey Line, or

any Line at all. Nor do they set forth that the sum due is for Military service to the Time of Derangement Discharge or Disbandment or for any particular service or Property, but simply On the Final settlement of an Account between the United States and the Creditor there is so much due. In order to Remedy in some degree this Inconvenience John Pierce Esquire Paymaster General, who Issued these Notes, has sent me the Numbers of those Issued to the New Jersey Line. But I cannot think myself Authorised to Deviate from the Law to answer Conveniences, as a Loose way of doing Business of this kind is often as bad as not doing it at all, and Productive of the most pernicious Consequences. (Mr. Pierces Letter and also a Letter from Capt. R. Lloyd in which he describes the situation of certain Persons equally entitled, who are not included in Mr. Pierces) I have laid before the General Assembly.

I Applied to the late Legislature during their sitting at New Brunswick upon the subject of that Species of Public Securities called Surplus Certificates.<sup>4</sup> I am sorry to find myself under the Necessity of troubling the present on the same subjects, and of begging bearer to refer them to the Letter then written. Numbers [of these] are almost Daily presented to me in order to Receive Interest, which I cannot help suspecting to be Fraudulent if not Forged, and I must take the Liberty of Declaring, that unless a Stop is put to their Issuing (by the Practice of Antidating) which I am sure has prevailed and will continue, and if some Effectual mode is *not adopted* for calling in the Certificates themselves and Liquidating and putting them into another form the State will be ruined, or at least greatly Injured. Many of the Contractors Certificates though better check'd and less liable to be Practis'd with, are Extremely loose and upon a very improper Footing. The prices in different places and in different Instances are very unequal and Irregular, differing as much as double and Treble for the same Quantity of Produce or services. I beg leave to mention for Example one out of the many Instances which I have met with, in which £100 Specie is allowed for a Yoke of Oxen.

As those things fall more immediately under my Observation than that of any other Person, and some of them directly concern the Office with which I am entrusted, I have thought it my duty to mention them, flattering myself it will not be deemed forward or Officious. I am Sir with due Respect your Excellency's Obedient Servant.

JAMES MOTT

ALS, Nj.

1. The New Jersey General Assembly on Dec. 20, 1783, in compliance with a congressional resolution of Apr. 18, 1783, passed an act that authorized the printing of £32,000 in bills for interest payments to New Jersey citizens who lent money to the central government. The act stipulated that following the annual collection of taxes, for which these bills were legal tender, the state treasurer use these bills to pay one year's interest directly to all government creditors in New Jersey (*Acts* [Oct. 28, 1783–Dec. 24, 1783], 44–57). See “Scipio,” [May 24, 1784] and n. 1; (*General Assembly* [Aug. 1784–Sept. 2, 1784], 140–41; *Legislative Council* [Aug. 1784–Sept. 2, 1784], 21–22).

2. A Dec. 23, 1784, supplement to the Dec. 20, 1783, law stipulated that no interest payments were to be made until two-thirds of the tax quota had been collected. The act also ordered the state's treasurer not to deliver any money to the United States treasury until all the states had approved the 1783 congressional impost (*Acts* [Oct. 26, 1784–Dec. 24, 1784], 171–74).

3. The act directed the treasurer to use the tax revenues to pay the interest on certificates held by soldiers of the New Jersey line (*Acts* [Aug. 5, 1784–Sept. 2, 1784], 56–57).

4. An act of the New Jersey Legislature of June 13, 1780, authorized state tax collectors to accept as legal tender notes or certificates received as payment for goods and services awarded to the army or to the “publick Service.” When the certificates exceeded the amount of taxes due, the tax collectors were to issue certificates equal to the difference between the two, plus 6 percent interest. The collectors were required to submit records of all recipients of these “surplus certificates” to the treasurer (*Acts* [May 24–June 19, 1780], 102–5).

To counter the widespread fraud and counterfeiting that resulted from this act, the Legislature repealed the act on Sept. 1, 1784. The 1784 act forbade the further issuing of surplus certificates and established a fine for tax collectors who failed to submit all tax records by Oct. 15, 1784 (*Acts* [Oct. 1783–Sept. 2, 1784], 115–16).

## From Susannah French Livingston

Elisabeth town November 20, 1784

Dear Mr. Livingston

I apoligized for my Silence in a letter I wrote you by Mr. Jay<sup>1</sup> Since which I have recived two from you<sup>2</sup> of an earlyer date then those recived before so that the first came last, the money recived on the cirtificates you had best keep to pay taxes with, as I have chiefly Supply'd myself out of the Shops for this winter the most of which has been expen'd for Servants clothing. I am to have 25 bushels of corn, next monday at 3/5 per Bushel, I had engaged it at 3/3 but it has risen in the price Since that & the man refuses to let me have it tho I have it from under his own hand. I have not paid Mr. Crane<sup>3</sup> for the beef we have had of him, neither have I any money left to discharge that Debt. I Shall fall short in paying for the corn, I dont know where I Shall get Cabbages for the

winter, turnips Mr. Blanchard<sup>4</sup> has bespoke for us, our turnips have turnd out very badly, for we have pull'd but three bushels. I Shall have to buy potatos and apples, we never was so badly provided for the winter as at present, & our wants are much increas'd with the inlargement of our family, the chaise you are kind enough to indulge me with, I would not Chuse till the Spring, & when you return home we will agree where it Shall be made.

tuesday morning

Again disappoint'd in head of 25 bushels of corn as agreed for I have but 12 bushels. I have recived the money by Cott Thomas. The book I cannot find, unless you mean a Dutch Book, which I dont think or you would have said so. You left me £36. I Shall inclose the account that you may know for what the money is gone. I Shall use all the prudence in laying out the money you commit to my care, that the majority of the family admit of. I intend to dispach Bill for the more agreeable to your order. Tho is very much wanted to draw wood. I remain your Dutifull wife.

S.L.

ALS, MHi.

1. Letter not found.
2. Refer to WL to Susannah French Livingston, Nov. 6, 1784, and Nov. 17, 1784 (both MHi).
3. Possibly Stephen Crane, Jr.
4. John Blanchard.

### To John Livingston

Trenton 26 Nov. 1784

Sir

[ . . . ] Says he will not interfere in recovering some Land for his correspondent from the Vermonters.<sup>1</sup>

1st [ . . . ]

2dly Because I will never so far acknowledge the Independence of Vermont as to address that people as a State until they are so recognized by Congress<sup>2</sup> & from this Delicacy to Congress & to the State of New York I have run the risk of losing five thousand acres of Land which are worth as many pounds that have been Seized by them & which I should probably have secured had I adressed them in that manner [ . . . ] I am

LBC, MHi. Sedgwick transcription.

1. See John Livingston to WL, Oct. 11, 1784.

2. Following an August 1781 resolution of Congress preliminary negotiations were begun to settle the Vermont question. On May 29, 1784, a congressional committee reported in favor of acknowledging the independence of Vermont. On June 3, 1784, New York moved that Congress consider the matter, but only New Hampshire voted in favor of the motion. For the most recent reference to congressional consideration of the Vermont issue see Elias Boudinot to WL, Dec. 11, 1782, 4:497–98.

## Message to the Assembly

Trenton 18 December 1784

Gentlemen

I herewith lay before the honourable House a Letter from his Excellency President Dickinson of the 14th instant in Council,<sup>1</sup> informing me that by Resolutions of the General Assembly of the Commonwealth of Pennsylvania, the executive Council of that State are authorized to appoint three or more commissioners to meet with such commissioners as are or shall be appointed on the part of this State to settle agree upon and accurately to describe which of the Islands Islets & insulated dry lands mentioned in the agreement between the two States bearing date the twenty fifth day of April 1783<sup>2</sup> belong to each of the said States according to the purport of that agreement

WIL: LIVINGSTON

ALS, CtY.

1. Refer to John Dickinson to WL, Dec. 14, 1784 (*Pa. Archives*, 1st ser., 10: 366).

2. On Apr. 25, 1783, Pennsylvania and New Jersey agreed to establish their mutual boundary on the Delaware River. The commissioners representing New Jersey were Abraham Clark, Joseph Cooper, and Thomas Henderson. Pennsylvania appointed George Bryan, George Gray, and William Bingham. New Jersey ratified the original proposal on May 27, 1783, and Pennsylvania ratified on September 20 of that year. At this time ownership of some 75 islands remained unsettled (*Acts* [June 9–June 19, 1783], 45–46).

## From John Jay

N York 30 December 1784

Dear Sir

The necessity of speedily providing accommodations for myself & the Govt. of Congress,<sup>1</sup> deprived me of the Pleasure of passing the Holy

Days with You and the family at Elizabeth Town, and as an attack of the Rheumatism<sup>2</sup> forbids my exposing myself to Cold, I cannot flatter myself with seeing You very soon. I must therefore write to you on a Subject, on which I intended to have requested your testimony in person. I mean the Line of Conduct which you wish your family to observe respecting Brockholst.<sup>3</sup> The Relation in which I stand to you & Mrs. Livingston, on the one hand & to him on the other places me and indeed all your other Children in a delicate Situation. My Respect for your feelings has induced me to decline either making or returning visits to him.<sup>4</sup> I presume that Reconciliation must take place sooner or later—it is unpleasant to obtrude opinions, especially on those to whom nothing new can be offered. I will therefore only hint that Delay cannot pave the Way for Cordiality, and that a fresh wound is more easily and radically cured than an old Sore. With affectionate attachment. I am Dear Sir your most obedient Servant.

ADf, NNC.

1. On May 7, 1784, Congress appointed John Jay as the new secretary of foreign affairs, although he did not assume his duties until Dec. 21, 1784. Congress was in adjournment when Jay wrote and was to reconvene in New York City on Jan. 11, 1785. Refer to *JCC*, 26: 354–55; 27: 699–704.

2. Jay was plagued by ill health. In the fall of 1783 he went to Bath, England, to try the curative waters there. For the most recent reference to Jay's health see John Jay to WL, May 21, 1783.

3. On Dec. 2, 1784, Henry Brockholst Livingston, against WL's wishes, married Catharine Ketteltas, the daughter of Peter Ketteltas, Sr., and Elizabeth Van Zandt, Brockholst's landlady.

4. Enmity between Brockholst and Jay existed since Brockholst served Jay as an aide in Spain. See Sarah Livingston Jay to WL, June 24, 1781, 4: 225–33.

## To John Jay

Elizabeth Town, 5th January, 1785

Dear Sir,

I did not receive your letter of the 30th December, till this day.<sup>1</sup>

I was indeed much disappointed in not meeting you here, as I had flattered myself with the happiness of spending some days with you before the meeting of Congress, more tête à tête, than the public bustle at Trenton would permit us to do: But private pleasures must yield to public business; and I hope my loss in the personal disappointment will

be compensated in some future scene of greater leisure that is not far remote.

Your *line of conduct* has, my dear Sir, on all occasions, been so proper as not to want the additional proofs you now give me on a very interesting one to me, of its never failing propriety.

It is possible that the absurdity of a certain young gentleman's conduct<sup>2</sup> in so intimately connecting himself with a person altogether unworthy of that alliance,<sup>3</sup> and by which connection he has not only brought signal disgrace upon his family, but in all probability assured his own ruin for his passion for extravagance, and a total want of all oeconomy. It is possible, I say this absurdity, allowing for the bizarrerie of human amours, might in time be overlooked, 'tho' as to himself, I doubt not but the expiration of the honey moon, & the consequent dismasking of his Dulcinea,<sup>4</sup> will bring him to repentance never to be repented of. But the undutiful manner in which this affair has been conducted; & the two insulting letters that I have received upon the subject,<sup>5</sup> from a son in whom I had placed the greatest hopes of my future worldly happiness in the evening of my life, when old age is peculiarly fond of those charms to sooth its infirmities—those insulting letters to a tender father, & the insult of which was greatly aggravated by the protest of asking advice after a determined resolution of rejecting all advice that should thwart his purposes nay expressly reserving an appeal to his own umpirage should he disrelish the award of his air-built arbitrator—these insults I say I cannot at present prevail upon myself to forgive; & I am not sure, that except upon certain terms, I ever shall forgive them.

It would be impossible in the compass of a letter, to represent the mortifications, the provocations I have had on this subject. But the more inexpressibly affective to me have been the pains taken by both of them to disparage the connections of the suitor; in order to degrade them to the level of the courted (I mean the lady, tho' in this case the gentleman happened to be the courted) because he could not exalt the latter to the rank of the former.

Having seen some of the best-bred women in France & Spain; having travelled thro so considerable a part of Europe, and there had an opportunity of acquiring some knowledge of the world; & being intitled to pay his addresses to the Fair of the first rank & fortune in New York;—thus to throw himself away upon—his landlady's daughter. Peske!<sup>6</sup>

After all this Sir, [ . . . ] your question, what line of conduct I would

wish my family to observe respecting Brockholst? It would be a disagreeable task to endeavour to inspire others with those resentments, which, tho excusable in the person immediately offended, may not be so in those whom the offense affects only in a more remote and collateral manner. But as all such undutiful conduct ought to be forever discountenanced; & as an open friendship and cordiality towards a son notoriously in disgrace with his father, carries the appearance of abetting the cause of the former against the latter; I leave it to the discretion of my children to deport themselves upon this melancholy occasion as their good sense shall dictate. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. See John Jay to WL, Dec. 30, 1784.
2. Henry Brockholst Livingston.
3. Catharine Ketteltas.
4. Dulcinea: the idealized lady love from Cervantes' *Don Quixote*.
5. Letters not found.
6. Peske: an exclamation expressing contempt or disgust.

## To John Jay

Elizabeth Town 12th February 1785

Sir

I have been honoured with your Excellency's circular letter of the 29th last,<sup>1</sup> accompanied by official extracts from the Journals of Congress certifying your appointment to be "Secretary of the United States of America for the department of foreign affairs," & your having "accepted that place, and taken the oath of office."<sup>2</sup>

I heartily congratulate you Sir, on your election to so distinguished an office, while I felicitate my country on its being filled with so much dignity & lustre.

That part of your duty which your Excellency informs me, "consists in your corresponding with the governors or presidents of all or any of the United States," on the subjects you mention, is doubtless of great importance to the Union; and shall, on my part, while in my present station, be cultivated with the greatest alacrity; and all such intelligence as can be expected from me, be punctually communicated.

“A copy of the Laws of our State now in force, and also copies of such as may from time to time be passed,” I shall agreeably to your request, transmit to your office.

With great Esteem I have the honour to be your Excellencys most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 78.

1. Refer to John Jay, Circular Letter, Jan. 29, 1785, DNA:PCC, 80:5–9.

2. The letters that Jay sent WL have not been found. Refer to *JCC*, 26:354–55; 28:35. For the most recent reference to Jay’s appointment as secretary of foreign affairs see John Jay to WL, Dec. 30, 1784.

## To John Jay

Elizabeth Town 13 February 1785

Dear Sir

I have to inform you that I have suffered myself to be persuaded to be reconciled to Brockholst upon his (in my estimation, unfortunate marriage)<sup>1</sup> upon condition of my having no connections with the family with what he has allied himself. The Condition I suppose need be no [bar?] to my children’s treating him and his Mrs. Livingston with cordiality, & how far it may be necessary to mention it [ . . . ] is left to you and Mrs. Jay’s discretion.

I had greatly flattered myself with the pleasure of seeing you here before now. Pray make a leisure day or two to see three of the finest children in the Country,<sup>2</sup> besides making two very old children very happy with your Company! I have seen so numerous a fry of young sea-fish in the Pond, as to give me hopes that if we live till next summer, we shall have excellent angling. With my love to Mrs. Jay I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. For a recent reference to Henry Brockholst Livingston’s marriage see WL to John Jay, Jan. 5, 1785.

2. WL is referring to Jay’s three children, Peter Augustus, Maria, and Ann.

## Petition on Behalf of John Fitch

March 1785

Upon Considering the extent of the Principles on which John Fitch proposes to Construct his Steam Boat,<sup>1</sup> and the Quantity of Motion that may be produced by the Elastic force of Steam, we are of opinion that if the Execution could by any means be made to answer the Theory when Returned to Practice, it may be beneficial to the public, and it seems to be deserving of a fair Experiment; which alone can [identify?] the Expectations of Success

JOHN EWING  
 SID. ELLICOTT  
 R. PATTERSON  
 FRANCIS HOPKINSON  
 JNO. NANCA[ . . . ]  
 RICHARD WELLS  
 WILLIAM LIVINGSTON  
 EDWARD DUFFEELS

ALS, MHi.

1. On Mar. 18, 1786, the New Jersey Assembly passed an act giving Fitch “the sole and exclusive Right and Privilege of constructing, making, using, employing and navigating all and every Species or Kind of Boat or Watercraft which may be urged or impelled through the Water by Force of Fire or Steam. . . .” In 1787, Fitch, after securing the financial support of private Philadelphia citizens, launched a steamboat on the Delaware River (*Acts* [Feb. 20–Mar. 23, 1786], 266).

## From Timothy Brush

New Market Amwell [March 5, 1785]

Sir

I have Been informd by Mr. Collins<sup>1</sup> your honour had made applications their to know the owner and the Price of my Negros mentioned in his paper<sup>2</sup> which is Two hundred Pounds one hundred at the Dilivery of the Negros and the other hundred in may 1786. But if the whole

money Could be Paid Down the price Shall be made Some Lower Not but what I Could a Sold them for the Price first mentioned But it was to men who wanted them for Merchandise to take to a better market which I thought was Not right as they have Served me Honestly and Faithfully I should be a willing to Take Something Less for them if I Could get a place for them where they would be as well fed as they Deserve as we have Not Employment for them in our present Business. Sir with much respect yours to Serve

TIMOTHY BRUSH

N.B. The price of the man Separate is £110:0:0 in cash.

ALS, MHi.

1. Isaac Collins.

2. The *N.J. Gazette* ran numerous advertisements for the sale of slaves. The only advertisement which appeared in the *Gazette* during this period that failed to list the name of the seller was one for a twenty-three year old Negro male, his wife, and their year-old child. For the names of two of WL's slaves see WL's Bill of Manumission of his Slaves, October 1787. For the influence of Quakers on shaping WL's attitude toward slavery see Samuel Allinson to WL, July 13, 1778, 2:380–89.

### To Charles Stewart

Elizabeth Town 15th March 1785

Sir:

I am favoured with your letter of the 14th instant;<sup>1</sup> & I am extremely sorry to hear that General Schuyler has refused to act as one of the commissioners for erecting the Federal Buildings;<sup>2</sup> because, without any disparagement to the other Gentlemen, with whose abilities in that way, I am not equally acquainted, I really believe there is not a man on this continent fitter for the task.

Respecting myself, I am of the same opinion that I was before,<sup>3</sup> because it is not presumable that I could since that time, have acquired any knowledge in the business in question. I am more over now furnished with this additional reason for declining the appointment should my name be again mentioned upon the occasion, that I really do not think it reasonable that two of the three gentlemen should be either citizens of New Jersey or Pennsylvania;<sup>4</sup> it being natural even for good men and sometimes when they are scarcely sensible of it themselves, to in-

cline in favour to the State to which they belong; and then to be influenced to form sentiments directly repugnant to those they would have entertained had they not been swayed by such bias. So powerful is self-interest & our natural attachment to the particular local districts in which Providence has placed us, nor indeed do I see any great propriety in the appointment of any of the Commissioners from either of the rival states, as it is natural to suppose that they will respectively wish to promote the interest of that of which they are members; where as had the whole commission consisted of Gentlemen of other states, they could have no other view in fixing the spot, than that of the general good.<sup>5</sup> But there may be reasons for this measure that I do not know; & I mean not to oppose my notions to the determination of Congress to whom I shall always think myself under great obligation; for entertaining so favourable an opinion of me, as they have been pleased to manifest upon this occasion.

With the other Gentlemen you mention I have not the honour to be personally acquainted, but by what I have always heard of them, they are men of amiable & distinguished character, both for good sense & probity.

I entirely concur with you in sentiment, that no time should be lost in disposing of the western lands, after they have been fairly & honestly purchased of the Indians.<sup>6</sup> Their adoption of our vices will drive those poor copperheads far enough afield without our depriving them by fraud of, or expelling them by force from those lands which the Almighty had given them by prior occupancy, before the ambition & avarice of Europe so abominably perverted the peaceable spirit of Christianity, under the plausible guise of converting pagans to the true faith as to carry desolation & havoc thru Asia & America. The sooner, I say, that we purchase & then depose of that the better, because the rage of colonizing, that is in modern english, the spirit of settling other people's lands without paying for them, will otherwise soon appropriate them to desperate & insolvent adventurers, without our leave.

My desire to see my friends in New York will attract me to that metropolis, as soon as March ceases to show his derivation from the heathen god of war by intermitting his violent assaults upon old bones. But to be of any service in countermining the operations of a certain stratagomical gentleman you—to insure success in an enterprize of that

kind, it is necessary to adopt measures that are not contained in my creed as orthodox.

There is great hope in the present Congress & I have no reason to think that there is a deficit of public vertue. But it behooves us all in whom the people repose special confidence to be continually upon our guard against sinister motives; & sacrificing the general welfare to party-combinations or personal views. We have, it is true, acquired an Empire great & extensive. But this mighty structure fair & superb as it is, & certainly founded in righteousness; will as certainly crumble into ruin, unless by righteousness it be supported and buttressed. I am Sir With great respect Your most humble Servant

WL: LIVINGSTON

P.S. Please to give my respects to Dr. Beatty.<sup>7</sup> As I think myself the only man in the State who can read his hand-writing (tho you may be assured that I do not boast of the fairness of my own) I should be glad to hear from him such news, as it is not inconsistent with his duty to communicate.

Typed transcript in the private collection of Mrs. John Kean.

1. Letter not found.

2. In December 1784 Congress resolved to erect federal buildings to provide a permanent home for the government at an undetermined site and to appoint three commissioners to oversee the project. Walter Livingston nominated Philip Schuyler, who declined on Mar. 3, 1785. Also nominated were John Brown, Francis Hopkinson, James Christie, Philemon Dickinson, Robert Morris, Horatio Gates, William Smallwood, Baron von Steuben, and WL (*JCC*, 27:696–707; 28:10n, 37n).

3. WL was nominated as a commissioner by Elbridge Gerry, but declined the offer in a letter of Feb. 5, 1785, to Charles Stewart (*JCC*, 28:10; refer to WL to Charles Stewart, Feb. 5, 1785, Sedgwick, *Livingston*, 388–89).

4. Philemon Dickinson accepted a position as commissioner on Feb. 18, 1785 (*JCC*, 28:99n).

5. Refer to a Dec. 23, 1784, resolution of Congress locating the federal town “on the banks of either side of the Delaware, not lower than Lambertton” (present-day Trenton) (*JCC*, 27:700).

6. For previous reference to Indians and western lands see Thomas Mifflin to WL, Feb. 20, 1784.

7. John Beatty.

## To John Jay

Elizabeth Town 21 March 1785

Sir

I have the honour to transmit to your Excellency, (agreeably to your request in your circular letter of the 29th of January)<sup>1</sup> two volumes of the Laws of this State; the first containing the Acts of Assembly of the Province of New-Jersey passed under the *old* constitution & adopted; with the necessary alterations to accommodate to our situation after the revolt, by the *New*; and the second those that have been enacted by this State, since the declaration of our Independence. Subsequent to Mr. Willson's<sup>2</sup> compilation, which constitutes the second volume, we have had two Sittings of our Legislature; but the copies of the Laws passed at those Sittings, the Printer has not sent me, as he was desired to do with the two volumes before mentioned. Whenever they come to my hands (and I shortly expect them) I shall lose no time in transmitting them to your Excellency. The price of the two volumes herewith sent is two english guineas, & an unconscionable Stageman charges me with a dollar for their freight from Trenton to this place. I have the honour to be with great respect your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 78.

1. Enclosure not found.
2. Peter Wilson, who in 1783 codified and reviewed the laws of New Jersey.

## To John Jay

Elizabeth Town 21 March 1785

Peter has been twice thro' his grammar; & I hope that by the Latter end of this week, he will have as often gone thro' his vocabulary.<sup>1</sup> By that time I should therefore be glad that you could furnish me with a *Carderius*<sup>2</sup> with an english translation for him; & I make no doubt of his being able by the first of May to acquire a considerable skill at construing or passing such an author. As Children of his age are extremely fond

of variety, I wish that another book could be procured for him, of which I do not recollect the title; but it is written by one *Comenius*<sup>3</sup> a German, with pictures explanatory of the things treated of. It is in latin & english in different columns, well calculated for a boy first beginning to construe; & teaching in a very willing manner the knowledge of things as well as of words—If this is not to be had; I think that *Castatio*<sup>4</sup> has also published an excellent letter book for boys containing familiar stories collected & abridgd from the history of the old Testament, in easy latin with an english version.

I hope that the three young Children will prove sufficiently attractive to draw you & Mrs. Jay to Elizabeth Town in a few days, how weak so ever may be the magnetic virtue of the two old ones. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. For recent reference to Peter Jay's education see Sarah Jay to WL, July 18, 1783.

2. Carderius: *The Colloquiorum Centuria Selecta* or a *Select Century of Cordery's Colloquies* by the French schoolmaster Mathurin Cordier was first published in Boston in 1724. Using a question-and-answer format, it became one of the principal Latin texts used in American schools.

3. Comenius: *The Orbis sensualium pictus* or *Visible World* by Johann Amos Comenius was first published in Nuremberg, Germany, in 1657, and in England in 1658. Illustrated with 175 small woodcuts, it is considered the first picture book and the beginning of children's literature. It was republished frequently during the next two centuries and set a pattern for hundreds of other books.

4. Castatio: Sebastian Castalio, or Castello, made numerous Latin translations from the Geneva Bible in the sixteenth century. An eight-volume collection of these translations in English and Latin was published in London in 1742 under the title *Youth's Scriptures Rememberances; or Select Sacred Stories by Way of Familiar Dialogues*. There is no evidence that it was ever reprinted in America.

From John Jay

New York 21 March 1785

Dear Sir

The Proposal contained in Col. Stewarts Letter<sup>1</sup> which is herewith sent, was so new & unexpected to me that I have not had Time to make up an opinion on the Subject.<sup>2</sup> In case it should meet with your approbation there is great Reason to believe you would be chosen. If you

decline, the steady attachment of Jersey to you for many Years will justify your continuing in their Service in Preference to any other. You would have a better Salary as Minister, but to enjoy it you must remain abroad. I should like to talk the Matter over with You, but the Packet<sup>3</sup> sails on Wednesday, and therefore cannot possibly leave Town. The Situation of Mr. Watkins<sup>4</sup> is a serious one, and I wish to confer with you also on that Subject, and to cooperate in some plan for his Relief. I am Dear Sir your affectionate Servant

JOHN JAY

ALS, MHi.

1. Letter not found.
2. In January 1785 WL's name was placed in nomination in Congress for minister to the Netherlands. Refer to WL to Charles Stewart, Feb. 5, 1785 (Sedgwick, *Livingston*, 388–89). For Stewart's earlier recommendations to Congress concerning WL see WL to Charles Stewart, Mar. 15, 1785.
3. For a reference to the transportation of diplomatic correspondence by packet see John Beatty to WL, Mar. 6, 1784.
4. John W. Watkins. For the most recent mention of Watkins's financial distress see WL to Judith Watkins, Aug. 22, 1782, 4:460–61.

### To Charles Stewart

Elizabeth Town 21st March 1785.

Sir,

I can scarcely be sufficiently thankful to you for the favorable Sentiments you are pleased to entertain of my abilities, and your readiness on so many occasions to nominate me in Congress for Offices that are really honorable.<sup>1</sup> Nor have I words to express my obligations to Congress for the probability there is (as I have reason to believe) of their appointing me as Minister to the Court of the United Netherlands. But without assigning twenty Reasons against my undertaking so important a Trust, as did a certain Officer for not returning a Salute given to his fortress on the Seaside by the firing of Cannon when his first Reason was, that he had no Powder, which one would think, superseded the necessity of the other nineteen, I can give you one that will certainly excuse even the omission of a second. But as you seem so sanguine about the matter, I will, for your further conviction, of the propriety of declining the proposed appointment add a second.

First then—I do really think myself, at this Time of life, unqualified

for so momentous an Office, and no money shall ever tempt me to disgrace my Country. This I think is equal to the Officers first Reason of being destitute of gun powder. Indeed was I twenty years younger than I am, I should make no excuse; and of all the Courts in Europe, it would be my ambition to be sent to that of the United Netherlands. But as I have promised to subjoin another Reason I will do it. Therefore 2nd The steady attachment of New Jersey to me for many years—the great Confidence they reposed in me at their first appointment of a Governor, when I was only known to them by general Report, and then a recent settler amongst them from another Province—their so long continuing me in that Office, without any Interest-making of mine (which I ever did and ever shall detest) and that often unanimously, and always in the case of competitors, by a very great majority, and that notwithstanding the many disagreeable Truths I have told them respecting their Conduct, as to public faith, and integrity, in which I have never spared them—my opportunities, by having so long been in this Office, to acquaint myself with the Affairs, and the True Interest of this State, and my Opinion (which I hope does not in this Instance overrate my Abilities) that I can in this Office discharge my duty without indignity to myself, or prejudice to the Commonwealth; will, I hope, justify my wishes to continue in the service of New Jersey in preference to any other, as long as New Jersey shall choose to continue me in that service, and while I am really able to serve it, for I have no Idea of sinecures, nor of any *quid*, without an adequate *pro quo*. With great Esteem, Sir, Your most humble and most obedient servant

WIL: LIVINGSTON

ALS, NNC.

1. For Stewart's earlier recommendations concerning WL see WL to Charles Stewart, Mar. 15, 1785. Congress was seeking a successor for John Adams, named minister to Great Britain on Feb. 24, 1785 (*JCC*, 28:98).

To John Jay

Elizabeth Town 21 March 1785

Dear Sir

I just this moment received your Letter of this days date.<sup>1</sup> As Mr. Watkins<sup>2</sup> is to return in the morning, I refer you as to the matter on the carpet in Congress relative to the appointment of a minister to the

United Netherlands, to my Letter to Colonel Stewart,<sup>3</sup> which for that purpose I inclose with a flying seal;<sup>4</sup> & which after having perused & sealed, you will be so kind as to forward to him.

Respecting Mr. Watkins' situation, I should be glad to confer with you on that subject as soon as possible. Whatever I can do for him, consistent with the state of my finances; & my duty to my other children; I will freely do. But if the matter should prove so desperate, it or all the assistance given him will only amount to a temporary, instead of a permanent, relief; it may alter the matter. You are extremely kind in promising *your co-operation*. I long much to see you on that subject. I am unfortunate in several of my children; & I have suffered exceedingly in my personal estate by the continental money being made a legal tender.<sup>5</sup> But the will of the Lord be done; & to console myself for the delinquencies of some, others of my Children give me inexpressible pleasure. This state of probation is a checquered scene & the great ruler of the Universe knows best, what is best for us. It is his to govern. Resignation is ours. I am Dear Sir your most humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. See John Jay to WL, Mar. 21, 1785.
2. John W. Watkins.
3. See WL to Charles Stewart, Mar. 21, 1785.
4. The seal of the letter was attached but not closed.
5. For the effect of depreciated continental currency on WL's personal estate see WL to the Assembly, June 18, 1782, 4:430.

## To George Wall

Elizabeth Town 21st March 1785

Sir

It was but the day before yesterday that your Letter of the 4th. instant<sup>1</sup> came to my hands. It inclosed a copy of the appointment of Commissioners in your State for the purpose of settling the Jurisdiction of the River Delaware & Islands within the same; & acquainted me that when you was informed who are appointed on the part of New Jersey you shall be ready to correspond with the Gentlemen about the manner & time of executing the business.<sup>2</sup>

In answer to your letter, I do not recollect that our Legislature have appointed any other Commissioner than Moore Furman Esq. of Trenton; & whether he has accepted of the appointment, I do not know; but in order to reduce that matter to a certainty I shall inclose this letter unsealed to his [ . . . ], & desire him to forward it to you, with a Line of his to ascertain the matter.<sup>3</sup> I am Sir your most humble most obedient Servant.

WIL: LIVINGSTON

LS, PDHi.

1. Letter not found.
2. For previous reference to this issue see WL to the Assembly, Dec. 18, 1784.
3. Pennsylvania appointed George Wall, John Okely, and Jonas Hartzell as commissioners. In dispute were several islands in the Delaware. On Mar. 16, 1786, New Jersey ratified a proposal that settled the ownership of these islands. The Pennsylvania Assembly took similar action on Sept. 25, 1786 (*Acts* [Oct. 25, 1785–Mar. 23, 1786], 258; *Pa. Archives*, 1st ser., 10:366).

### From Charles Stewart

New York 25th March 1785

Sir

When I took the liberty of naming Your Excellency as Minister to the Court of the United Netherlands<sup>1</sup> it was from a full assurance that the [ . . . ] was so proper that it must succeed, [ . . . ] it attract the attention of every person [ . . . ] Floor of Congress, and that the Gentlemen who had previously named Mr. Harrison,<sup>2</sup> & Mr. [ . . . ] but faint (if any) hopes of success, & Mr. Harrisons friends hinted they would withdraw his name. I did not quite like your Answer, & therefore shewed it only to Mr. Beatty<sup>3</sup> *under an injunction not to give out that it was a refusal* & left it with Mr. Jay. I did [not?] look on it as a positive refusal, and an[ . . . ] not to withdraw your name, *or suffer it to be done*, unless I have your express Orders so to do. Your excuse about Old Age and Abilites, are needless to Me. I guess at both, and compare them with Doctor Franklins powers when he went last to Europe, permit me to deal plainly with You. I know there are persons in the State who would wish you abroad to make room for a New Governor And I [ . . . ] [are?] others who wish you not to go, for [ . . . ] were sure You were too Old, and I

am [ . . . ] they are sorry they did not name You old as You are. As to Myself I named You because I thought You chalked out by God Almighty, as the Most proper person to be Our Minister at the Hague, & without any [design] to compliment or flatter you. And I repeat with great confidence that there can be very little doubt of your being Elected therefore I beg you to consider of this matter untill next Monday. And if I do not hear from You by that time, I shall [ . . . ] You will accept the appointment & [ . . . ] with proper respect Your Excellency's Most Obedient Servant

CHAS STEWART

ALS, MHi.

1. See WL to Charles Stewart, Mar. 21, 1785.
2. Gov. Benjamin Harrison of Virginia.
3. Representative John Beatty of New Jersey.

### From John Beatty

New York 13th April 1785

Dear Sir

In a letter a few days since to your Excellency, I hinted the probability there would be, of some Acts of Congress, which would require the attention of the Legislature of our State, at an Earlier period, than that to which they stood adjourned. Those I had principally in View; were the Requisitions, [on?] the States for *Men* and *Money*. The former of these was passed on yesterday, and the Number assigned to N. Jersey, the same as last year; but the Term of their Enlistment is for three years.<sup>1</sup> A copy of the act Mr. Secy. Thompson<sup>2</sup> will forward to your Excellency by this Conveyance. Two reasons Might be given why this Measure ought not to be long delayed. First—The Troops (both officers & Men) are to be raised upon much lower Terms, than those last year; so that the sooner the former are discharged the greater the saving will be to the United States; but a more principal reason is; that no Measures having as yet been taken by Great Britain for the Evacuation of the Western Posts; it becomes expedient for the U. States to pursue such steps; as may tend to aid the Negotiations on that Subject, of her Minister at the Court of London; give Security to the Frontier Settle-

ments; facilitate an intercourse with the Indian Nations; and to protect and promote the Navigation of the Lakes by her citizens. These objects will in a great Measure be Effected, by raising a Competent Force for this purpose & placing them in such situations, as must tend to render the Posts now held by the Troops of his Britannic Majesty void and useless. The Number proposed to be raised cannot wholly do this; but if we can alienate the Trade, now carried on by Means of the Canadians, Under the protection & for the *Sole* Emolument of the Military Establishment in that Province; Change the Channel & throw the Trade into the Hands of the Citizens of these States; I am persuaded, it will operate, not only as a Source of great Wealth; but will be the Means of facilitating a delivery of those Posts.<sup>3</sup>

The requisition for *Money* is in part Acted on & will shortly follow the other. The aggregate amount will be Three Millions of Dollars; of this the quota assigned N. Jersey stands at 166.716 Dollars.<sup>4</sup> The Necessity of the States taking Measures for immediately carrying this Act into Effect, is so apparent, that I should for bear saying anything on this head; were it not for some Circumstances, which Your Excellency or at least the Legislature cannot be acquainted with. The Minister of Finance and since his return to Europe; the “charge des affaires”<sup>5</sup> has in a Number of Instances represented to Congress the Uneasiness of his Master, the most Christian King, on the Subject of his Loans to the U. States; that he finds no Effective Funds have been provided, for either securing the Principal, or discharging the Interest accruing, & already accumulated thereon: That an Injurious discrimination has been made by some of the States, between their own Citizens, and the subjects or Citizens of France holding Loan Office Certificates; in the partial payment of Interest arising on this debt. This has Created disgusts & discontents among that Class of Creditors; which may eventually prove pernicious to the good Understanding prevailing between the two Nations. Mr. Morris, in a letter of the 23rd. February last informs us “that he had not been in a Capacity to make any payments due in France, the last Year.”<sup>6</sup> This circumstance, will not abate their Jealousy, but rather heighten their Demands; more Especialy when they learn, That the Funds, on which they principally relied, for discharging, as well the Interest as the Principal of the National Debt “VIZ. By The Establishment of Certain Imposts and providing Supplementary funds for a given Number of years, as recommended in the resolutions of the

18th. April 1783<sup>77</sup> are (if not wholly frustrated) procrastinated to such a period; that their Hopes are but very slender, with regard to the preservation of our Faith and the Establishment of a National Credit. Your Excellency must have learned with pain, that the States of New York & Georgia have wholly rejected this proposition; and that Rhode Island have acceded to it, under such limitations & restrictions as are anti-federal & cannot of course bind the other States: Indeed I almost despair of seeing a Continental Impost Established or rather the duties resulting therefrom, going into a Common Treasury: Certain I am it will not be Conc[eded] upon the present System. Under this State of things, it is apparent, that other Measures must be resorted to, for the purpose of discharging the growing Interest—That on the Foreign Debt, as also the Supplies for the Services of the present Year (the latter amounting to near Half a Million of Dollars) can be discharged with no other than *real Money*. Facilities may be made use of by the States in discharge of the Interest arising on the Domestic debt; so far I observe the State have already made provision, and anticipated the Views of Congress, by their Revenue Act, passed in the Close of 1783;<sup>8</sup> and altho it is not exactly in the [Main?] which they may recommend, yet still substantial Justice is done thereby to the Creditors within the State. The Necessity of the Measure then, I trust is undeniable; but how far the State is able to bear this additional Tax, is a question I am not able, nor is it my duty to Answer. I am well aware of the great Exertions of N. Jersey during the War, and of her consequent impoverished State on the return of Peace: I am not insensible too, of her Situation, between two great Commercial Citys, which not only cut her off, from every Benefit resulting from Trade, but also necessarily subjects her to contribute to their Wealth & Revenue, in a Ratio proportionate to her Consumption of imported Articles and under this impression I had prepared a Motion (a Copy of which I inclose your Excellency) which I intended to have made in Congress, with a View to alleviate in a small degree, the present sum demanded of the State—finding however little or no probability of its being adopted; I have for the present laid it aside; well hoping, that our Legislature will conceive it an object worthy of some Attention since the Idea of an Impost for Federal purposes, seems almost wholly Extinguished & the Mode of raising Money by Requisition & for quoting the National Debt, may continue for some Years to Come.<sup>9</sup>

Before I conclude this long letter, I must beg Your Excellency further

Indulgence w[hen?] I mention one other Circumstance, that may have some weight in calling the Legislature together Earlier, than the time to which they are adjourned: I mean the representation of the State on the Floor of Congress. I hope I shall be believed by Your Excellency & the State, when I assure you, it is with the Utmost reluctance, I relinquish the very Honorable Trust, they have been pleased to repose in Me; but Necessity and Candor obliges me to declare I cannot longer serve them in Congress— not born to an affluent fortune; and my little Patrimony, gradually Mouldering; from a Want of that attention, which my Engagements in public life, since the Commencement of the Revolution has prevented; I am Constrained by the Dictates of Humanity & the duties I owe to a dependent family, to retire to a private life & to provide by my Industry for those, who have a right to require it of my Hands. I feel myself extreamly flattered & gratefull, for the appointment, the State has Conferred on Me; but I must say, the Salary they have been pleased to anex to it; is not [more?] than barely sufficient for my single Mantainance while attending on the Duties of it. Mr. Houston Informed me he should certainly decline. I have wrote Mr. Dick, pressing his attendance: he is silent on the subject, and I am inclined to believe, does not mean to attend.<sup>10</sup> Mr. Cadwallader, is absent for the present, but Expects to return in May.<sup>11</sup> Mr. Stewart assures me it will not be in his power to Continue much longer.<sup>12</sup> In this dilemma we now Stand, and I greatly fear the State will not continue to be represented, unless further appointments are made. I hope your Excellency will excuse me for this particular detail and attribute it to a sincere wish I have, that these vacancies may be supplied & the reputation of the State preserved. With sentiments of the most perfect respect and Esteem, I have the Honor to be Your Excellency most Obedient Humble Servant!

JNO. BEATTY

ALS, MHi.

1. New Jersey was to raise 110 officers and men (*JCC*, 28:247–48).
2. Charles Thomson.
3. The terms of the peace treaty between Great Britain and the United States stipulated the British evacuation of posts in the old Northwest. Nevertheless, the British in 1785, still held outposts at Oswego, Niagara, Detroit, and Michilimachinac. For the full text of the treaty refer to *JCC*, 27:617–23.
4. For additional information on the recommendations made by the congressional grand committee refer to *JCC*, 27:214–20.
5. Francois Barbé Marbois.

6. Robert Morris had submitted to Congress his resignation as superintendent of finance on Nov. 1, 1784 (*JCC*, 27:653). Letter not found.

7. For the congressional resolution refer to *JCC*, 24:257–60 and see John Beatty to WL, Feb. 25, 1784, and n. 4.

8. For the Dec. 20, 1783, New Jersey “Act for raising a Revenue of Thirty-one Thousand Two hundred and Fifty-nine Pounds Five Shillings per Annum for the Purpose of paying the Interest and Principal of Debts . . .” refer to *Acts* (Oct. 28–Dec. 24, 1783), 44–57 and see James Mott to WL, Nov. 17, 1784, and n. 1.

9. For background on the impost see John Beatty to WL, Feb. 25, 1784, and n. 4.

10. Samuel Dick was in Congress by Apr. 15, 1785 (*JCC*, 28:267).

11. Lambert Cadwalader had returned to Congress by July 26, 1785 (*JCC*, 29:575).

12. Charles Stewart continued to attend until the end of his term in November 1785.

## To Baron von Steuben

Elizabeth Town 22d April 1785

Sir

I was just now honoured with your Letter of the 16th instant; & it gives me real pain that it is not in my power to comply with your request, which is the same thing as being unable to execute my own inclinations. Abstracted from the consideration of the trouble you have already had about this Affair, & the ill-grace with which the Present was at first made you, (amounting to that of holding the land on condition of a kind of imprisonment for life)<sup>1</sup> I have so many other inducements to render you every service in my power, as to be greatly mortified at my inability to serve you in the manour you have designated. The commissioner being an officer appointed by the Legislature, & not by this Governor, is, for breach of trust, only responsible to them; & for illegal proceedings injurious to the purchaser, only liable to the person aggrieved. For neither the one nor the other is he amenable to the Executive. Any directions therefore addressed to him on this subject by the Governor, would be considered by the Legislature as extrajudicial; and by the Commissioner himself, be disregarded as inofficial & unauthoritative. But should the assembly meet before this commissioner (who seems very unmindful of the gratitude due from all the United States, to a gentleman, who, from very undisciplined soldiers, made our army equal to the best troops in Europe) has carried his [ . . . ] into effect, I shall Sir, with the greatest alacrity, exert my utmost influences with the members of the Legislature, to prevent his ungenerous designs against you. They rose, it is true, at their last sitting, without adjourn-

ing to any particular day, not then intending to meet again, but to turn over the business unfinished to the next Legislature, which always meets in October. But having authorized their Speaker to convene them in the interim on any extraordinary emergency, I have laid before him such reasons for his calling them at an earlier period, that I flatter myself he will issue his summons to convoke them by the beginning of June.<sup>2</sup> In the mean time, I would advise you to write a line to the commissioner to the same purpose which you desire me to do; & which I would most cheerfully do, was it not for the reason above assigned, that it would be disregarded by him, as not being accountable to me; and give umbrage to the Legislature as overleaping the bounds of my department, & encroaching upon theirs. Besides this, you may assure yourself that if he proceeds against you contrary to Law, & reexposes the lands to sale before the Act requires the payment of the money by the first purchaser, the subsequent transfer must be void, as being illegal; & cannot, consequently, defeat the title of the first buyer. I have the honour to be Sir your most obedient humble Servant

WIL. LIVINGSTON

ALS, PHi.

1. Letter not found. On Dec. 23, 1783, the New Jersey Assembly awarded von Steuben a part of the confiscated estate of Loyalist John Zabriskie at New Bridge. When Steuben refused to reside there, the state in 1785, sold the estate to Benjamin Walker, Steuben's aide-de-camp. (Refer to Steuben to WL, Nov. 13, 1785 (Nj); and to *Acts* [Oct. 28–Dec. 24, 1783], 64–65 [Oct. 6–Dec. 24, 1784], 182–83 and [Oct. 25–Nov. 29, 1785], 237–38.)

2. The legislature did not reconvene until October 25 (*General Assembly and Legislative Council* [Oct. 25–Nov. 29], 1785).

## Proclamation

Elizabeth-Town, Apr. 29, 1785

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.

To all whom it may concern.

HERMAN Le ROY having been recognized by the United States in Congress assembled, as Consul for their High Mightinesses the States

General of the United Netherlands, for the states of New-York and New-Jersey,<sup>1</sup> to reside at New-York, it is hereby declared, that the privileges, pre-eminence and authority, belonging to his character and quality, as Consul for their said High Mightinesses, for the state of New-Jersey, are due to him from the same.

Given under my hand and seal at arms, in Elizabeth-Town, the twenty-ninth day of April, in the year of our Lord One Thousand Seven Hundred and Eighty-five, and of the sovereignty and independence of America the ninth.

WIL: LIVINGSTON

*N. J. Gazette*, May 9, 1785.

1. At the same time Le Roy was named consul for New York and New Jersey, the United Netherlands also appointed John Henderick Christiaan Heinekin as consul for Pennsylvania (*JCC*, 28:270, 275).

### To Charles Stewart

Elizabeth Town 7th May 1785

Sir

I do myself the honour to transmit to you a copy of a Resolution of Congress of the 29th April<sup>1</sup> and of the President's letter to me that accompanied it on the necessity of a fuller representation in Congress.<sup>2</sup> As our State is at present not represented in that august Assembly, I am persuaded Sir that you will lose no time in so settling the matter with your Brother Delegates, as that neither the United States, in general, nor that of New Jersey in particular may receive any detriment from the want of our Sentiments & Suffrage when questions of such moment as will shortly be agitated in Congress, will require a final [decision?].

With great esteem I have the honour to be Sir your most humble & very obedient Servant

WIL: LIVINGSTON

ALS, MHi.

1. Refer to *JCC*, 28:319.

2. Richard Henry Lee wrote to WL on Apr. 30, 1785, reminding him that finances and the sale of western lands were among the pressing issues faced by Congress (DNA: PCC, 16).

## To Thomas Hutchins

Trenton 18 May 1785

Sir

From the Obligations under which we put ourselves, & the responsibility which it seems to include in case of disappointment in our expectations I have always observed the greatest delicacy with respect to giving recommendations. There are however instances in which they are so really due to merit, that they cannot, without a kind of injustice, be refused.

Capt. Absalom Martin, an officer, for the greatest part of the late war in the New-Jersey Line of the American Army, & a son of Colonel Martin<sup>1</sup> a member of our Legislative Council has, by his military services to his country thrown himself out of business; & would gladly engage in some reputable civil employment. As from the nature of your appointment,<sup>2</sup> I presume you must want a considerable number of Surveyors under you, it is probable you may find business for this young Gentleman in that department. For his abilities in this branch of Knowledge, it would be improper for me to vouch not being myself a competent judge; but from his laudable ambition & nice sense of honour, I am persuaded that he would not pretend to possess, what he was not possessed of. At any rate, you will at once ascertain that matter; and it is upon the supposition only of his qualifications for the business, that I would be thought to wish him success. For the rest, I mean as to character, perhaps too much cannot be said in his favour. He has invariably supported the reputation of a brave officer, an honest man, and a Gentleman of great honour. It is, I think to such characters as these that the public ought to be particularly attentive in the bestowing of what emoluments it has to bestow, as well as Individuals in throwing into their hands what business they can. If you Sir can be of any Service to Capt. Martin in the line proposed, you will certainly render it to a very deserving man; and lay under particular obligations your most obedient & humble Servant

WIL: LIVINGSTON

ALS, PHi.

1. Ephraim Martin.

2. The position in question was mandated by an ordinance of 1785, which passed Congress on May 20 (*JCC*, 28:251–57, 375–81).

## From Philip Philip Livingston

New York May 19th: 1785

Dear Sir

I have received your Letter dated the 7th Instant<sup>1</sup> and Mr. Jay has left with Mrs. Livingston your order in his favor dated 14th Instant.<sup>2</sup>

I have settled with Aunt Lawrence<sup>3</sup> the demand she had against my late father's Estate it was £1771—& I gave her my bond for £1600—principal payable by eight Installments Annually £200 with Interest. I have also settled with others who have changed the Securities, and have consented to take Interest for 4 years, and then to be paid by four annual Installments.

I shall now therefore pay Mr. Jay the surplus of what is due to you above the said Sum of £1600<sup>4</sup>—or each payment amounts as [per] the account inclosed to £153.14, and a Receipts for £6.10.2 am of[ . . . ] as charged in my late fathers books in Nov. 1775.

I shall not doubt the same kind indulgence from you in future which has been granted by Mrs. Lawrence, Mr. Alsop<sup>5</sup> Mr. Mayers & others.

It is not my wish to have you change the security, it will answer as well for you to keep the bonds you have, and I will annually in May, for eight years to come, pay you two hundred pounds and the interest that accrues after 1st May instant, so that the whole debt due to you for principal and Interest shall be discharged in eight years. All I want is your acquiescence and consent to this mode of paying you by installments, which you will please to signify by Letter.

The heavy distress occasioned by the late war ought perhaps to induce Creditors to give up the Interest for that Period, but if interest for that time is demanded, I have no doubt that debtors may reasonably require great accommodations in the modes of payment. I remain with my best respects to your Lady Your affectionate Nephew & most Humble Servant

PH PH LIVINGSTON

ALS, MHi.

1. Letter not found.
2. Refer to WL to John Jay, May 14, 1785 (NNC).
3. Catherine Livingston Lawrence. For the most recent reference to Catherine Lawrence's and WL's demands against the estate of Philip Livingston, see Henry Brockholst Livingston to WL, June 19, 1784.
4. Refer to WL to John Jay, May 14, 1785 (NNC).
5. Probably John Alsop.

## To Charles Thomson

Elizabeth Town 30 May 1785

Sir

I have just now received your Letter of the 28th<sup>1</sup> instant inclosing an Act of the United States in Congress assembled for [ . . . ] into different States the Western Territory ceded to the Union by individual States [ . . . ] and also an ordinance for ascertaining the mode of disposing of lands in the western Territory, & subsequent measures taken for carrying the ordinance into effect.<sup>2</sup>

My reason for not sooner answering your Letter of the 12th April last covering the Acts of the 7th and 12th of last month<sup>3</sup> relative to the raising a body of troops for the purpose there in mentioned, was, that I hoped soon after to be able to give you a more agreeable answer than I now find myself able to do. For as to "the steps taken by this State for raising the quota assigned," I have the mortification to inform you that I do not know of any steps, whatsoever that have been taken for that purpose[;] I have the greatest reason to believe that none have been taken. Our Legislature has not met since their usual sitting in October, & I am pretty confident it will not meet again till October next. The importance of raising the Troops you mention can scarcely appear to Congress in a stronger light than it does to me; and it was one of the reasons I lately transmitted by letter to the speaker of our assembly (who alone is vested with the authority of calling our Legislature before their annual meeting in the Fall) for rendering it in my opinion, necessary to carry the trust reposed in him into execution. But having lately seen & conversed with him upon that subject, he does not concur with me in Sentiment, especially since one of the reasons I assigned for the measure, which was that of this State's not being at that time represented in Congress [ . . . ] likely [ . . . ] to be without a new appointment of

Delegates, is [ . . . ] [ . . . ] by our now having a compleat representation in that august assembly. It gives me great concern Sir, to find the affair thus circumstanced, as it is easy to foresee that troops to be raised by an Act of an assembly that is not to meet till the month of October, will not be able at that season of the year to reach the place of their destination.<sup>4</sup> At the same time, it requires no skill in necromancy to [foretell] that the English do not mean to [ . . . ] the Western [posts], without something more than a [base] request to them to perform what on their part is stipulated by the Treaty. I am Sir your most obedient & very humble Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68

1. Refer to Charles Thomson to WL, May 28, 1785, DNA:PCC, 18, B.
2. Refer to *JCC*, 28:398. The territory, which eventually formed the states of Ohio, Indiana, Illinois, Michigan, and Wisconsin, was to be sold at \$1.00 an acre with the minimum sale of 640 acres, except for that land reserved for schools and as bounty for revolutionary veterans.
3. Refer to Charles Thomson to WL, Apr. 12, 1785, DNA:PCC, 18, and *JCC*, 28:240–41, 247–48.
4. The New Jersey Assembly passed an act to raise the 110 men requested by Congress on Nov. 24, 1785 (*Acts* [Oct. 25–Nov. 29, 1785], 212). For previous mention of the congressional resolution see John Beatty to WL, Apr. 13, 1785.

To A. J. Livingston

Elizabeth Town 10 June 1785

Sir

Colonel Direks<sup>1</sup> informed me that you would be glad to know the Origin of the Family of the Livingstons in this Country, in order to ascertain whether you are related to it & requests me to gratify your wishes in that respect which I do with great pleasure. All those of the name amongst us are the Descendants of John Livingston of Ancram well known in Scotland by the name of Mess John.<sup>2</sup> He was particularly celebrated for a sermon he preached at the Kirk of Shots<sup>3</sup> which is said to have had a most remarkable effect upon his Audience. He was one of the Commissioners appointed by Scotland to treat with Charles the II then in Exile at Breda respecting the Terms upon which that Nation would agree to his Restoration.<sup>4</sup> During the Troubles in Scotland occasioned by the Attempts of the English to introduce Prelacy in that Country<sup>5</sup> he quitted it & settled at Rotterdam where he spent the re-

mainder of his Life in the function of a Minister of the Gospel & left on his death many sons none of whom we have ever heard of except my Grandfather whose name was Robert.<sup>6</sup> He brought with him when he came to this Country a Nephew of the same name from him & that Nephew all the Livingstons in the State of New York are descended, tho' chiefly from him the posterity of his Nephew being comparatively few. He was the first Lord of the Manor of Livingston in the Province of New York which he divided to my Father his Eldest Son<sup>7</sup> in Tail except a Small part of it which he left to his Second Son Robert.<sup>8</sup> The Manor on my father's decease descended to my Eldest Brother Robert who is now in possession of it. The family in general has always been blessed with affluence & is esteemed the first in that State. I must observe that my Grandfather used to write his Surname with an *e* at the end of it *Livingstone*. For what reason we have since discarded the final letter I know not. The same name I find in the History of Scotland written *Livingstown*.<sup>9</sup> Mess John at the Time of the English attempting to establish their hierarchy in Scotland<sup>10</sup> embarked for America; but by Stress of Weather the Vessel was obliged to put back. Upon that occasion my Grandfather who was with him altered the Crest & Motto of the family arms (what they were before I know not) the former into a Ship in an adverse wind the latter into *Spero Meliora*.<sup>11</sup> These have been hence retained by all the family except myself who thinking Crests & mottos to Ensigns Armorial Altogether arbitrary & not being able without ingratitude to Providence to wish for more than I had changed the former into a Ship under full sail & the latter into *Aut Mors aut Vita Decora*.<sup>12</sup> Upon my Grandfathers marriage with the Relict of Mr. Van Renselaer<sup>13</sup> Lord of the Manor of Renselearroy etc. (& a family originally from Holland—with which we are [ . . . ] still more nearly connected by intermarriages, a Nephew of mine<sup>14</sup> now enjoying that Estate which as to dimension is I believe the largest on North America) he quartered his arms with those of my Grand Mother, so that I do not know whether the Impression of our present arms which I inclose will conduce to the Elucidation of the subject matter of your Enquiry & indeed we Americans do not pay so much attention to coats of Arms as do the Europeans; I wish we paid more then we do to our national Honour & gave more convincing Proofs by our public virtue than we do of our having deserved the remarkable interposition of Providence in Emancipating us from the Bondage of Britain & making us the first People on the Globe.

If Sir it should so turn out that you are a branch of the same family or

any way related to it it would give great pleasure to all of the name here. If other wise I should still be glad to cultivate a correspondence for the sake of the name & the nation, tho' I must confess that my affection for Caledonia has considerably cooled during the late War by finding the Scots so generally on the Side of Arbitrary Power & such irreconcilable enemies to the cause of America which all impartial men must acknowledge a righteous one. P.S. Should You be so Kind as to favour me with an Answer your Address will be His Excellency William Livingston Esquire Governor of the State of New Jersey at his Seat near Elizabeth Town.

Lcy, MHi.

1. Jacob Diriks.
2. "Mess John" was a common lowland nickname for a priest or minister.
3. The sermon John Livingstone gave "at the Kirk of Shot" was never found. Shotts is a small town on the Glasgow-Edinburgh road.
4. Despite having delivered Charles I to English hands, the Scots were appalled by his 1649 execution by the English Parliament. Scots immediately opened negotiations with the king's eldest son whereby they agreed to recognize him as king. In return Charles II promised to establish the Presbyterian church throughout England and Scotland and to maintain the Scottish Covenant. Charles II then left Breda, where he had been in exile, and went to Scotland. The English Commonwealth objected and war broke out. In 1651 the English army under Oliver Cromwell defeated the king's Scottish forces at Worcester. Charles II fled abroad to the continent and the English army occupied and subdued Scotland.
5. John Livingstone refused to take an oath of allegiance to Charles II, restored to the throne in 1660, and was ordered to leave Scotland. He left for Rotterdam in April 1663.
6. John Livingstone had fourteen children, seven of whom survived. The two youngest, Robert (WL's grandfather), and Elizabeth, followed their father to Rotterdam in December 1663. The remaining five were of age and remained in Scotland. The two eldest, one named John, became merchants in Edinburgh.
7. Philip Livingston, WL's father, was the oldest surviving son. His older brother Johannes died in 1720 at age thirty.
8. This was the Clermont branch of the Livingston family.
9. The name Livingston originated as Leving in the eleventh century. A town in West Lothian was founded by one of this clan and is probably the origin of the name Livingstown. In the twelfth century the name was commonly spelled Livingston but by the thirteenth century it was spelled Livingstone.
10. John Livingstone, opposing efforts of Charles I to impose episcopacy on Scotland, sailed for New England in 1636 but his ship was forced back by inclement weather.
11. *Spero Meliora*: expect better things.
12. *Aut Mors aut Vita Decora*: either death or an honourable life.
13. Robert Livingston married Alida Schuyler Van Rensselaer, widow of Nicholas Van Rensselaer.
14. Stephen Van Rensselaer.

## From Charles Thomson

Office of the Secretary of Congress June 23, 1785

Sir

I am extremely happy in having the honor to inform you that the United States in Congress Assembled have this day elected you their Minister plenipotentiary at the Court of the United Netherlands.

That you may be more fully acquainted with the extent and emoluments of this Office I enclose two acts of Congress, one limiting its duration, and the other fixing the Salary.

With great respect I have the honor to be Your Excellency's most obedient & most humble Servant

CHA THOMSON

ALS, DNA:PCC, 68.

## To Charles Thomson

New York 25th June 1785

Sir

I have been honoured with your Letter of 23d instant informing me, that the United States in Congress assembled had that day elected me their minister Plenipotentiary to the Court of the United Netherlands.<sup>1</sup>

This promotion, and the high confidence it implies, make a very sensible impression upon me; and I request the favour of you Sir, to present to Congress my sincere & most cordial acknowledgements for the distinguished honour they have done me by this appointment.

But altho' my desire of serving my Country continues as warm and operative as ever, yet my time of life makes me look foward to the infirmities both of body & mind which inevitably [in?] old age; and which are more proper to be solaced [ . . . ] shade & retirement by one's friends and family, than to be carried to Courts, where every faculty should be in full strength and vigour.

A few more years will probably put an end to my usefulness; and I

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should not do justice to my own feelings were I to omit observing, that the early and unremitted confidence wherewith I have been honoured by New Jersey, disinclines me to give room, by leaving my present station, for suspicions of a want of equal constancy on my part; especially as the place in question would be more flattering to ambition and more alluring to another passion not uncommon to men in years, than the one I now hold. With great respect I have the honour to be Sir your most obedient & most humble Servant<sup>2</sup>

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. See Charles Thomson to WL, June 23, 1785.
2. For WL's brief draft of this letter, refer to WL to Charles Thomson, [June 25, 1785], (MHi).

### From George Clinton

New York 9th July 1785.

Sir

Adam Rice, Mathew Cason, Jinkins, and Roger Richards are charged with having feloniously taken from William Umphrey in this City, the sum of about one hundred Pounds. Soon after Committing the Felony they went into your State, where they were pursued, taken at New Ark and Committed to Goal there,<sup>1</sup> on the Complaint of Umphrey by Warrant from Justice Peek,<sup>2</sup> and I am informed are since removed by Habeas Corpus to the County of Morris. The Mayor of this City<sup>3</sup> informs me that in my absence he applied to Justice Peek to have the Prisoners sent back to this Place for Tryal: the Justice did not conceive himself authorized to interpose unless the application came from me. I have therefore to request that your Excellency will be pleased to direct that these Fugitives from Justice may agreable to the Articles of Confederation be sent back to this City for Trial.<sup>4</sup> The Person who will have the Honor of delivering this Letter is a Peace Officer authorized to receive them. I have the Honor to be with great Respect your Excellencys most Obedient Servant

GEO: CLINTON

LS, MHi.

1. For background refer to WL to James Duane, June 29, 1785 (NHi).
2. Possibly John Peck, an Essex County judge.
3. James Duane.
4. Article 4 of the Articles of Confederation ruled that an individual "guilty of, or charged with" a crime who fled to another state be extradited "upon demand of the Governor or Executive power, of the State from which he fled."

### From Joel Barlow

Hartford 21 July 1785

Sir

It is proposed by several Gentlemen of taste in this part of the country to publish a collection of American Poems, somewhat in the manner of Dodsley,<sup>1</sup> to be contained in one volume.<sup>2</sup> As your Excellency has a number of your own, & probably some of others on hand which would do honour to the country as well as to their Authors, I take the liberty of requesting you would be at the trouble of forwarding to me, as soon as may be convenient, such of them as you are willing should be presented to the public in this way, either with or without the Authors' names, as you choose they should appear. Altho' your Excellency's character can receive no advantage by being ranked among the Poets of the present age; yet the Public will claim an undoubted right to those Pieces they have already in possession; & would be farther obliged could you afford them more.

Any communications your Excellency may be pleased to make on this subject may be done thro' the hands of Mr. James Watson Merchant Maiden Lane New York.

With the highest respect I have the honour to be, Sir, your Excellency's very humble Servant

JOEL BARLOW

ALS, MHi.

1. James Dodsley, an English bookseller who in 1782 issued a new edition of the *Collection of Poems* by Isaac Reed.
2. No evidence exists that such a volume was published.

## From Charles Thomson

Office of Secretary of Congress  
Aug. 3, 1785

Sir

Enclosed is a duplicate etc. as above—then add On this Occasion I beg leave to observe that your State is at present unrepresented.<sup>1</sup> As the keeping up a constant representation in Congress is of great importance to the Union and the want of it is attended with many inconveniences I take the liberty of recalling your attention to this Subject and for that purpose enclose two acts of the United States in Congress assembled, one passed the 1st November 1783 & the other the 19 April 1784.<sup>2</sup> By these your Excellency will see that it is the earnest desire of Congress that the several States should *not* only *keep up* a representation, but that each state should at all times when Congress are sitting be represented by three members at least. Though the journals which I have transmitted will give you a full knowledge of the state of representation in Congress yet that you may have a more comprehensive view of it, I inclose an Abstract which I have caused to be made of the attendance of the States since the first Monday in November last.<sup>3</sup> With great respect I have the honor to be your excellency's most obedient and most humble Servant.

C. T.

LBC, DNA:PCC, 18A.

1. The problem of congressional representation was a persistent one. See WL to Charles Stewart, May 7, 1785.

2. For the congressional acts refer to *JCC*, 25:791,26:245–46.

3. Refer to DNA:PCC, 18A.

## To Charles Thomson

Elizabeth Town 14 August 1785

Sir

I am honoured with your Letter of the [ . . . ] instant with a duplicate of your Letter of the 2d July<sup>1</sup> which accompanied an act of Congress passed the [27th] July,<sup>2</sup> & which I have also received. It is impossible Sir, [strictly] to comply with the request[s] of Congress to send you thirteen copies of the Legislative Acts of this State from the first of Sept 1774 [inclusive] because the first of our Acts was passed in September 1776.<sup>3</sup> From that period to December [1783], they will be easily procured, because [therefore] they are compiled [ . . . ] published in one volume. But from 1773 to the present day, it will be difficult, & I rather believe impracticable to procure them, [&] no more copies are generally printed than the Legislature intends to have distributed in the different counties according to certain quotas & amongst certain characters [ . . . ]. I shall however apply to the Legislature in the Subject & use my best endeavours to have the expectations of Congress answered as fully as possible.

As to our State's being again unrepresented, I know not what to say on the Subject.<sup>4</sup> It is always with pain & reluctance that I write to our Delegates on so delicate a point. They must be presumed to know their duty. If they violate it they are not for the violation responsible to the Executive. Hence the awkward attitude in which a man places himself by calling upon another in such a manner as implies a want of attention to his duty, when all the while the Latter is not answerable for his conduct to the former, were he ever so faulty. But I shall think it my duty to lay the matter before their constituents to whom they are undoubtedly responsible, & I hope that the next assembly will take more [effectual] measures for our being represented in Congress for the future; and amongst others for that purpose adopt the [ . . . ] one of allowing a more generous support to our delegates, who, upon the [ . . . ] footing are generally thought to make greater sacrifice of private interest than can be reasonably expected.<sup>5</sup> With great respect I have the honour to be Sir your very humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. Letter not found.
2. On July 27, 1785, Congress requested that each state submit to the secretary of Congress thirteen copies of acts passed after Sept. 1, 1774 (*JCC*, 29:582–83).
3. See WL to the Legislature, Sept. 11, 1776, 1:143–46.
4. See Charles Thompson to WL, Aug. 3, 1785.
5. On Nov. 26, 1785, the New Jersey General Assembly passed an act which provided a salary of 30s per sitting for each delegate to Congress (*Acts* [Oct. 25–Nov. 29, 1785], 215–22).

## From Henry Brockholst Livingston

New York 18 August 1785

Dear Sir,

The Enclosed Letter<sup>1</sup> was just now put into my hands by a Gentleman from Bermuda. A son of Mr. Harme Gansevoort of Albany<sup>2</sup> waited on me yesterday and requested me to inform you that his father could dispose of your Lands at Canajoharie for the Sums you limited him to before the war,<sup>3</sup> but did not chuse to do it without further Instructions on the Subject. He at the same time told me this service offered was the full value. I promised to write you on the Subject & as Mr. Gansevoort will not leave the City until the End of next week you may by him have an opportunity of sending a Letter to your Attorney his father.<sup>4</sup> The deed from Christian Hertill to you & Mr. Van Horne<sup>5</sup> which was supposed to be lost is found among the Papers of the latter and as soon as Mr. Peartree Smith,<sup>6</sup> who is a subscribing witness is well enough to appear before Judge Hobart,<sup>7</sup> it shall be recorded. I am your dutiful Son.

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Enclosure not found.
2. Probably Leonard Gansevoort.
3. WL's attempts to sell his interest in the Canajoharie Patent date back to 1763. For the most recent reference to the Canajoharie Patent see WL to Catherine Lawrence, Apr. 21, 1781, 4:182–83.
4. Apparently Harme Gansevoort had WL's power of attorney to sell the lands.
5. Possibly David Van Horne. For the joint mortgage to WL and Van Horne see WL to William Paterson, Sept. 15, 1783.
6. William Peartree Smith.
7. Judge John Sloss Hobart.

## From Charles Thomson

Office of the Secretary of Congress August 24 1785.

Sir

I beg leave to remind your Excellency that all the calls, which Congress have heretofore made on the States for money or supplies have been on this express condition, that the sums or supplies aforesaid, should not be considered as the proportion of any State, but that being paid or furnished, they should be placed to their respective Credits, bearing an interest of six per Cent per annum until the quotas should be finally ascertained, and adjusted by the Congress of the United States, agreeably to the Eighth of the Articles of Confederation.<sup>1</sup> And if then it should appear, that any State had been assessed more than its just quota, it should continue to receive interest on the surplus, and if less, it should be charged interest on the deficiency until by a future tax, such deficiency shall be properly adjusted.

From the progress that is made in settling the Accounts between the United States and Individual States, and private Creditors within the same, and the measures taken to hasten and facilitate the progress of such settlement, there is reason to hope, that this great work will soon be completed.<sup>2</sup> And as almost every State seems to think its advances have exceeded its just proportion, it is therefore become necessary, and essential to the harmony of the Union that Congress should be furnished with the means of settling the proportion to be borne by each State as well as of the general expenses of the War, and the requisitions made since the conclusion thereof, as the sums, which may from time to time be requisite for the common defence and general welfare. To this end I beg leave to call your attention, to sundry Acts of Congress, on this subject, which you will find enclosed viz One pass'd the 20th. February 1782—<sup>3</sup> which is founded on this consideration. That the States having been variously affected by the War, the rule of the Confederation if strictly adhered to, might not produce that equal justice, which is desirable in this important object. One of the 17th. February 1783 which calls for a return of the quantity of Land in each State, granted to or surveyed for any person—the number of buildings

thereon, distinguishing dwelling houses from other buildings, and the number of Inhabitants distinguishing white from black;<sup>4</sup> and one of the 18th. April 1783 recommending an alteration of the Eighth of the Articles of Confederation and perpetual Union, and the adoption of a new rule of ascertaining the quotas of the States.<sup>5</sup> This is comprehended in the Act, and is part of the plan at that time recommended to the States for restoring and supporting public Credit; for obtaining permanent and adequate funds to discharge the interest and principal of the debt contracted, and for providing for the future exigencies of the Union.

The necessity of a rule to apportion the common expence, and the difficulties, delays and expence in the way of obtaining, that pointed out by the Confederation, induced Congress to recommend this change; and the rather as the number of Inhabitants, at least of white Inhabitants, is required for other purposes of the Confederation. Besides it was conceived, that this rule would do more justice, and produce less discontents among the States, and, although not altogether free from objections, that it was liable to fewer than any other that could be desired; and therefore that the application of it to ascertain the quotas of the State, would supercede the necessity and save the expence and trouble of making a valuation of the Lands with buildings and improvements thereon.

The favourable reception this recommendation has met with induces a belief, that this alteration will be finally adopted. By examining the files in this Office, I find that eight States have agreed to it, namely Massachusetts—Connecticut—New York—New Jersey—Pennsylvania—Maryland—Virginia & North Carolina— and it is suggested, that other States have adopted it, although the returns are not lodged in this office. But if all the States have agreed to adopt it, still it would be necessary for them to proceed a step further, and to make return of their respective numbers, before Congress can apply the rule. I must therefore request, that your Excellency would be pleased to bring this subject again under the view of the Legislature of your State, and earnestly recommend to them, as they have authorised their Delegates to subscribe and ratify the alteration recommended,<sup>6</sup> to take speedy & effectual measures for numbering the Inhabitants, and make a return thereof to Congress.<sup>7</sup>

With respect to the other part of the plan, contained in the Act of the 18th. of April,<sup>8</sup> as it is not the immediate object of this Letter, I shall only

refer to the address which accompanied it, and which you will find enclosed<sup>9</sup>—and beg leave to add this single observation, that every day's delay increases the embarrassments of the Union, and experience evinces how well Congress were founded in the opinion they gave on the 12th of February 1783—“That the establishment of permanent and adequate funds or taxes or duties which shall operate generally and on the whole in just proportion throughout the United States, are indispensably necessary towards doing compleat justice to the public Creditors, and for restoring public Credit.”<sup>10</sup>

I will not at present detain you farther, than to request, that your Excellency will be pleased to favour me with an answer, that I may be enabled to make report, and discharge the duty required by the enclosed Ordinance for regulating the Office of the Secretary of Congress.

With the greatest respect I have the honor to be Your Excellency's Most Obedient & Most humble servant

CHA. THOMSON

LS, Nj.

1. Article 8 of the Articles of Confederation provided for a “common treasury” to meet the nation's expenses. Each state would contribute to this treasury according to the value of its real property. The money was to be raised through state taxes.

2. For settling of accounts between the states and the federal government see Message to the Assembly, Nov. 7, 1783.

3. A congressional resolution of Feb. 20, 1782, authorized Congress to determine each state's share of the expenses of the war “without being wholly confined to the rule laid down in the eighth Article of the Confederation” (*JCC*, 22:83–84).

4. For the most recent correspondence relating to Congress's request for a survey see John Beatty to WL, Feb. 10, 1784.

5. On Apr. 18, 1783, Congress amended Article 8 to determine each state's quota of war expenses according to the number of inhabitants, rather than the real property, of each state (*JCC*, 24:259–60).

6. On Apr. 18, 1785, all three New Jersey delegates, Elias Boudinot, Abraham Clark, and Silas Condict, approved the measure (*JCC*, 24:261).

7. On Dec. 24, 1783, the New Jersey Legislature ordered a census of all state inhabitants (*Acts* [Oct. 28–Dec. 24, 1783], 71).

8. For background on this measure see James Mott to WL, Nov. 17, 1784; and refer to *JCC*, 24:256–59.

9. Enclosure not found.

10. Refer to *JCC*:24:126–28.

## From Susannah French Livingston

New York September 20, 1785

My Dear Mr. Livingston

By the good Providence of god I am returned again to New York,<sup>1</sup> after a severe illness in which I more than once thought I should not see my friend or home again. Kitty had recovered her health & strength in a great measure, but her anxiety and attendance on me when sick, has reduce her to what she was before.<sup>2</sup> I thought it best to leave her at the manor to recruit. Brother Robbert whose kindness to us I shall never forget, was very desirous of her stay. He was not well when I left him. Our friends here are very desirous that I should stay till you come to fetch me. Tho I am impatient to be home, yet I shall not leave this till I hear from you.

Your affectinate wife,

S.L.

ALS, MHi.

1. Susannah French Livingston spent several months at Livingston Manor during the summer of 1785.

2. For the most recent reference to Catharine Livingston's health see John Livingston to WL, Aug. 30, 1783.

## From Peter Van Brugh Livingston

New York 6th October 1785

Dear Brother

Since writing you last week about Lindert Lewis's Affair,<sup>1</sup> Brother John sent me a Deed dated the 30th. June 1767 by Harmanis Schuyler then high Sheriff of the County of Albany to Abraham Lot Junior consideration £50:—for one Eleven part of one Eight part of Hardenbergh's Patent<sup>2</sup> that lay in the County of Albany, by virtue of a writ of vinditiona Exponas.<sup>3</sup> In which Deed there is a recital That the Executors of my Father obtained a Judgement in the Supream Court against John Lawrence and Alida Hansen Administrators<sup>4</sup> of Leonard Lewis for

£866: 4:—and £7: 19: Costs. That Abraham Low high Sheriff of the County of Ulster by virtue of a writ of Fieri Facias,<sup>5</sup> Sold to Waldron Blauw<sup>6</sup> on the 13th. October 1761:one Eleven of one Eight of Hardenbergh's Patent that lay in his Bailwick for £360:—the property of Lindert Lewis at the time of his death. We ought now to enquire wether Waldron Blauw and Abraham Lot Junior conveyed to us and where the Deeds are before we can divide amongst our selves, if no deeds have been given by them, we ought to apply to Mr. Lot and gett his Deed for what is vested in him of Lewis's Lands that lay in the County. If no Deed can be found from Waldron Blauw we shall be greatly pushed, as he is Dead, and all his Estate in this state forfeited or confiscated by Law.<sup>7</sup> The first step I conceive we have to take is to endeavour that Lindert Lewis's Estate be vested in my Fathers Executors or heirs and then to come to a division amongst ourselves. This is an object worth our Attention. I wish we could get one person who would make it his business to get it perfected, I have neither Ability time nor strength to undertake it. I suppose that 1/11 of 1/8 of the patent would not be less than Twenty thousand Acres, the whole I suppose contains nothing short of two millions of acres, altho' there are many mountains in it, and a great deal unfit for the Plow, yet there is a great deal of good Land also, which in time will be valuable as it pays no quit rent, nor can it be escheated for want of settlement, that Clause I think is not in the patent. Now 20,000 acres at 2 would be £2000:.. By attending to our old affairs we shall perhaps save more, than by pursuing new objects, these things I submit to your consideration.

There is a meeting advertised in Loudons paper<sup>8</sup> to be at the Coffee house I think the 1st. November next of the Westenhook Patentees<sup>9</sup> will it not be necessary that you attend; that affair I think was once committed to you and Mr. Abeel.<sup>10</sup> I wish you would send your papers what you can find about it, and if you find any papers send them to me, if you dont come yourself. Mrs. Lawrence<sup>11</sup> is extreem ill. We all joyn in Love to you Sister & family. I remain your affectionate Brother

P. V. B. LIVINGSTON

ALS, MHi.

1. Refer to Peter Van Brugh Livingston to WL, Oct. 1, 1785 (MHi).

2. The Hardenbergh Patent, a vast land grant extending across Ulster, Sullivan, Delaware, and Greene counties, was made in 1706, by Edward Hyde, Lord Cornbury, to Johannes Hardenbergh and other land speculators. A series of litigations over the patent

subsequently occurred. Second Manor Lord Philip Livingston left his heirs shares in the patent, from which WL eventually expanded his share to over 10,000 acres. Refer to Peter Van Brugh Livingston to WL, Sept. 7, 1785 (MHi), for a similar discussion between Peter Van Brugh Livingston and WL over the Glen's Purchase lands left by Philip Livingston to his heirs. WL's share of this land was 825 acres.

3. Probably *vindicatia Espera*: the claiming of a title within a fixed period by the producing of papers or the payment of debts.

4. John Lawrence, the husband of Catherine Livingston, and Alida Livingston Hoffman, formerly the wife of Henry Hansen. Philip Livingston made his daughters co-heirs with his sons. The children and his wife were made executors of the estate. Refer to the will of Philip Livingston, July 15, 1748 (*Abstracts of Wills on File in the Surrogate's Office, City of New York 1665-1800*, Liber 16, 461).

5. Fieri Facias: a writ commanding a levy and judgment against the property of a debtor.

6. Waldron Bleau.

7. A Loyalist, Bleau in 1783 removed to St. John, New Brunswick, where he died five days after his arrival. His property was confiscated, but his house and land in New York City were later restored to his widow and daughter.

8. The *N. Y. Packet* published by Samuel Loudon.

9. WL's share in the Westenhook patent lands lay on the east side of the Hudson River in Albany County.

10. Probably James Abeel.

11. Catherine Livingston Lawrence.

## From Benjamin Thompson

Commissioners Office New Ark October 22d 1785

Sir,

Congress since the appointment of Commissioners to the several States for the purpose of bringing the Public Accounts to a final Settlement,<sup>1</sup> have in the most pressing terms repeatedly enjoined it on the Commissioners to proceed in the various duties assigned them with the utmost expedition possible. Anxious to fullfill their intentions by a faithfull discharge of the trust Committed to my care, and impressed with the importance of the business as well to the General interests of the Union as to the particular interest of this state I have not, I flatter myself, been deficient, in diligence or attention, towards the Accomplishment of this much wished for Object.

The extensive claims of the individuals of this State and the impatience of the Claimants to obtain final Settlements, have hitherto engrossed my whole time & application and rendered me incapable of any Cognizance of the General Charges of the State. This Business how-

ever, from the Considerable Progress already made, I have good reason to expect will nearly close with the present year. It therefore now becomes my duty to adress your Excellency as the Supreme executive Authority of the State, on the important Subject of the State Charges, against the Union<sup>2</sup> whereon I must earnestly Solicit that your Excellency will represent to the Legislature, at the ensuing meeting, the Necessity of Speedily Adopting some mode of Collecting and bringing forward all such Accounts of expenditures, Supplies and Services made and rendered on the part of this State, for Account of the United States, as, Consistently with the Acts and Resolutions of Congress, may be deemed proper Charges; Stated under their several heads and accompanied with the Necessary Vouchers to their Support, Conformably to the rules and directions prescribed by Congress for the Settlement of the Public Accounts.<sup>3</sup> Whatever method, Sir, the Legislature may find expedient, to Collect and bring forward the State Accounts for Liquidation & Settlement, some time I presume must unavoidably lapse before any progress can be made by the person or persons Charged with the business, during that period. I hope to Compleat my Circuit through the Several Counties of the State and Close the Settlement of individual Claims.<sup>4</sup>

In full Confidence, Sir, that the Legislature will on their Meeting, as soon as may be, take the Subject of this Address, under Consideration and order the things Necessary to be done thereon, shall hold myself prepared to meet their Appointment and proceed on the business that may be laid before me.<sup>5</sup> I have the Honor to be Most Respectfully Sir, your Excellency's Most Obedient & Humble Servant

BENJA THOMPSON

ALS, Nj.

1. See Message to the Assembly, Nov. 7, 1783.

2. Congress authorized the commissioners to settle state and individual claims against the Union. Most commissioners, including Thompson, concentrated initially on individual claims. By July 1784 Congress was calling for an accelerated resolution of state accounts (*JCC*, 27:590).

3. To prevent fraud, Congress required that individuals and states submit vouchers to support their claims against the federal government. On June 3, 1784, Congress empowered the commissioners to accept other forms of evidence from individuals in lieu of these vouchers. On July 6, 1785, the Board of Treasury recommended that Congress not extend this policy to state claims, but refer all cases in which vouchers were not produced to the board (*JCC*, 27:541–42; 29:536–39).

4. The congressional resolution of June 3, 1784, instructed the commissioners “to at-

tend in different counties or districts," if such actions would expedite the resolution of claims (*JCC*, 27:542–43).

5. On Nov. 1, 1785, Livingston submitted Thompson's letter to the general assembly, but the legislature took no action (*General Assembly* [Oct. 25–Nov. 29, 1785], 15). The issue involving settlement of accounts between New Jersey and the United States remained unresolved for the remainder of the decade (*Acts* [Oct. 27–Dec. 1, 1789], 569–70).

## To the Joint Meeting

Trenton, 29th October, 1785.

GENTLEMEN,

THE Honour you have done me by your Choice of the Governor for the ensuing Year,<sup>1</sup> and the high Confidence implied in the Appointment, make a very sensible Impression upon me, and deserve my cordial Acknowledgments.

If you entertain too great an Opinion of my Abilities, which I fear you do, I will be responsible that you shall not be disappointed in your favourable Sentiments of my Diligence and Integrity.

After the most illustrious Interposition of Providence to consummate our Independence, (for which it is to be wished we were sufficiently thankful) there is still much to be done to advance this State to that Degree of Publick Virtue and Happiness of which it is capable. To effect this glorious Purpose I hope every one in Publick Station will exert his most vigorous Efforts. I am determined not to be wanting in mine. May Heaven smile upon the Joint-Exertions of us all.

WIL: LIVINGSTON

*Joint Meeting*, 34–35.

1. WL was elected on Oct. 28, 1785 (*Joint Meeting*, 33–34). For WL's 1784 reelection see WL to the Assembly, Oct. 30, 1784.

## To Susannah French Livingston

Trenton 2d November 1785

Dear Sukey

You may be sure that I shall be glad to hear from you as often as possible. If you have no time to write long letters, I am content to receive short ones. I sent you a Letter the day before yesterday.<sup>1</sup>

Yesterday Mr. Vaughan<sup>2</sup> passed through this town & paid me a visit;

after which I waited on Mrs. Vaughan & the young Ladies, who informed me of your wellfare,<sup>3</sup> & how pressing you was for their longer stay at our house. She seems to be heartily tired of such perpetual travelling; but the old Gentleman is very capricious about a permanent settlement.

I am your affectionate husband

WIL: LIVINGSTON

ALS, MHi.

1. Letter not found.
2. Samuel Vaughan, Sr.
3. For the most recent reference to Susannah French Livingston's health see her letter to WL, Sept. 20, 1785.

### To Charles Thomson

Trenton 17th: November 1785

Sir

I have received your Letter of the 9th instant.<sup>1</sup> The Legislature has directed our Treasurer to transmit to you thirteen copies of our Legislative Acts; & I expect that they will be forwarded to you in a few days. The Laws of the Massachusetts I have received; but those of South Carolina which you mention as also delivered to our Delegates, to be forwarded to me, have never come to my hands.<sup>2</sup>

With great respect I have the honour to be Sir your very humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. Refer to Charles Thomson to WL, Nov. 9, 1785 (Nj).
2. See WL to Charles Thomson Aug. 14, 1785.

### From James Bowdoin

Boston December 7th. 1785

Sir,

I had the honour of transmitting to your Excellency in July last<sup>1</sup> a copy of an Act passed by the Legislature of this Commonwealth, intitl'd "An Act for the regulation of Navigation and Commerce." As some

of the regulations and restrictions of that Act extended to foreigners indiscriminately and we found, in some instances, to militate with the principles of a friendly reciprocation, the Legislature thought proper to repeal it in part: and the repealing Act is enclosed.<sup>2</sup>

The principal intention of the first mentioned Act being to induce Great Britain to relinquish her commercial regulations respecting the United States,<sup>3</sup> the Legislature of this State adopted that Act, in confidence that the other States of the Union would respectively enact a similar one, so far as it respected the Subjects of Great Britain. I have the pleasure to inform you, that the States of New Hampshire and Rhode Island have passed such Acts; and should like Acts be passed by the Legislatures of the other States, it is highly probable Great Britain would recede from her new regulations. She has adopted them by way of experiment, and upon the idea, that the thirteen States would not be united in measures that would effectually counter-act them. But I hope and trust she will soon find herself disappointed in that idea: for which purpose I am desired by the Legislature of this Commonwealth to request your Excellency to lay these two Acts before the General Assembly of your State that they may take such measures on the subject of them, as their regard for the general interest of the Union shall dictate.

I beg leave to refer you to my former letter on the same Subject, and have the honour to be, Sir, Your Excellency's Most Obedient humble Servant

JAMES BOWDOIN

LS, MHi.

1. Refer to James Bowdoin to WL, July 1, 1785 (NHi). Enclosed act not found.

2. "An Act for the Regulation of Navigation and Commerce," passed June 23, 1785, by the Massachusetts legislature, forbade the exporting of American goods on ships belonging to Britons. The act also levied duties on imported goods and restricted foreign ships to the ports of Boston, Falmouth, and Dartmouth. On Nov. 29, 1785, the legislature, feeling that these measures punished all foreigners, rescinded the sections dealing with duties and port restrictions. The regulations against British ships remained intact (Commonwealth of Massachusetts, *Acts and Laws* [May 25–July 2, 1785], 289–91, [Oct. 19–Nov. 30, 1785], 329).

3. For previous discussion of Great Britain's discriminatory trade policies see Thomas Mifflin to WL, Apr. 21, 1784, and n. 2.

## To William Peartree Smith

Elizabeth Town 8th December 1785

Sir

I should, in consequence of your Petition of the 7th of November last,<sup>1</sup> have immediately ordered the bond given by Joseph Crane late Sheriff of Essex for the due performance of his office,<sup>2</sup> to be put in suit agreeably to the prayer thereof, could I have persuaded myself that it was within the premise of the Governor of this State to grant such order. It is true, that I have once given a similar one at the particular importunity of Mr. Elias Boudinot, by whose advice that first order was clearly within the Governor's department, I was, tho with reluctance, prevailed upon to do it: But upon farther reflection, I was clearly convinced that as these bonds are executed to the State as the obliged; it is with the State, & not the Governor, to direct their being put in suit. Such being the case Sir, & footing at the same time, for your situation as destitute of all remedy upon the present plan, I drew a short bill for empowering the Governor to make such order, & also for encreasing the Penalty in the bonds to be given by the Sherifs in future for the due execution of their office. This Bill passed the Council unanimously; & would have been concurred in by the assembly but that they wanted to make farther alterations in the present Law respecting the [ . . . ]; & broke up sooner than they expected.<sup>3</sup> So that I see not Sir, as the matter now stands, that you can have any relief in the way proposed till the next meeting of the Legislature which will be in February next, when you may be assured that I shall make it my particular business to urge the passing of the Bill beforementioned: & after its being enacted into Law, I shall lose no time in forwarding your petition with my [Fiat?]<sup>4</sup> I am Dear Sir with great respect your most humble & most obedient Servant

WIL: LIVINGSTON

ALS, PPInd.

1. Petition not found.
2. New Jersey law required all sheriffs to post bonds as security for their tenure in office (*Acts* [Feb. 20–Mar. 23, 1786], 266).
3. On Nov. 23, 1785, the council passed "An Act to amend an Act, intituled, An Act to

require Sheriffs to give Security, and for other Purposes therein mentioned” and sent the bill to the assembly. The latter body adjourned on November 29 without having considered the bill (*Legislative Council* [Oct. 25–Nov. 29, 1785], 21–22; *General Assembly* [Oct. 25–Nov. 29, 1758], 52).

4. On Mar. 18, 1786, the legislature passed “An Act to direct the mode of prosecuting Bonds given by Sheriffs for the dire Execution of their Office.” This act authorized the governor to initiate a prosecution against a sheriff upon receipt of a written allegation of misconduct. The accuser was to assume the costs of the prosecution (*Acts* [Feb. 20–Mar. 23, 1786], 266).

## To Susannah Livingston

Elizabeth Town 12 December 1785

Dear Sukey

I have received your Letter of the 8th instant.<sup>1</sup> Mr. Littlepage has it seems imported a cargo from Europe, which many travellers before him have unfortunately brought with them in their return; & which they might as well have left behind them.<sup>2</sup> Mr. Jay by his publication<sup>3</sup> has ruined that man’s character forever. But his provocation rendered it absolutely necessary.

I inclose you 150 dollars in bank notes, out of which you will pay your Uncle Peter<sup>4</sup> £[32] [ . . . ] shillings; I don’t recollect the shillings, but he will tell you. Thus you are to keep of it £5 for your own use; & pay the remainder of it to Mrs. Jay, for the account of Judy.<sup>5</sup> I suppose that Mrs. Jay keeps an exact account for what I advance for Judy; as I would wish to be punctual to my promise, however difficult I find it to raise money. I am your affectionate father

WIL: LIVINGSTON

30 dollar bill

13 dollars

5 crowns & a two shilling piece

ALS, MHi.

1. Letter not found.

2. Lewis Littlepage had joined John Jay’s delegation in Madrid in October 1780 at the recommendation of Thomas Adams, a Virginia delegate to Congress. In 1781 he accompanied the duke of Crillon to Minorca as a soldier against Jay’s wishes but nonetheless funded by him. Littlepage did not repay Jay. In 1782, after a brief return to Madrid, he went off to join the Spanish siege of Gibraltar. In 1783, he appeared in Paris where he

challenged Jay to a duel that never took place. Following this altercation he was befriended by King Stanislaus of Poland who offered him a permanent position at the Polish court. Littlepage returned to America in 1785 to settle his affairs, encumbered by debts and a studied foppishness.

3. Littlepage arrived in New York in November 1785 to obtain a letter of recommendation from Congress. On Dec. 3, 1785, Jay had Littlepage arrested for his debt to him. Littlepage posted bond with the money given to him by Virginia governor Patrick Henry to pay for the statue of George Washington by the French sculptor Houdon. Then, aided by Henry Brockholst Livingston, Littlepage retaliated with an attack on Jay published in the *N.Y. Daily Advertiser* on December 6. Jay responded with a counterattack in the newspaper on Dec. 7, 1785. WL may have been ignorant of Brockholst's actions against Jay.

4. Peter Van Brugh Livingston.

5. Judith Livingston Watkins.

### “Primitive Whig,” No. I<sup>1</sup>

[January 9, 1786]

*Qui Deorum*

*Muneribus sapienter uti,*

*Duramque callet pauperiem pati,*

*Non ille pro caris amicis*

*Aut patria timidus perire.*

HOR.<sup>2</sup>

AFTER Providence had so highly favoured us, as to enable America to triumph over the power of Great-Britain in the late war, which she cruelly waged against us, and in which our final success appeared, in the eye of human reason, against all probability; it was to be hoped that we should have conducted ourselves, in our publick character, as citizens of these now independent states, with the dignity and gratitude becoming so signal a blessing. Great was the glory we acquired during the contest; and Fame, with her trumpet, has resounded it through the universe. But what reports Fame of our subsequent behaviour? What in particular of our national Publick Faith and Justice, either respecting our foreign or domestic debts? Stop, stop, and break this trump of Fame; but then the stones will cry out, alas, alas, *how is our gold become dross; and our fine gold changed?*<sup>3</sup> How is the glory of an American Congress, of an American Washington, of the American governors, of the American legislatures, of all the bright constellation of American whigs (conjointly indefatigable in the cause of liberty in our late conflict against

apparently unsurmountable obstacles) how is it marred, obscured, contaminated, and trampled in the dust, by our conduct since the illustrious era of our emancipation from British bondage. Reluctant at paying our proportion of the taxes to defray the expences necessarily incurred by our contending for, and finally accomplishing so glorious a revolution! *Tell it not in Gath, publish it not in the streets of Askelon.*<sup>4</sup>

Americans, and Whig-Americans, and Americans who promised to stand by Congress and General Washington with their lives and fortunes in opposing the meditated tyranny of Britain, now grumbling about paying the taxes, which that opposition, all brilliant in its progress, and victorious in its conclusion, indispensably occasioned! Ingrates! To see a lazy, lounging, lubberly fellow sitting nights and days in a tipplinghouse, working perhaps but two days in the week, and receiving for that work double the wages he earns, and spending the rest of his time in squandering those his non-earnings in riot and debauch, and then complaining, when the collector calls for his tax, of the hardness of the times, and the want of a circulating medium—Ingrate! To hear a *London-trader*, who in two years accumulated more wealth by his infernal commerce with the enemy, and furnishing them with materials to continue their unnatural war against his bleeding country, than he could in ten by his honest industry—to hear a London-trader, I say, who, for filthy lucre, sold his conscience, his allegiance, his patriotism and his soul, now complain of the difficulty to pay his taxes! Ingrate! But who is that yonder honest looking farmer, who shakes his head at the name of taxes, and protests that he cannot pay them! Why, he is a man whose three daughters are under the discipline of a French dancing-master, when they ought every one of them to be at the spinning-wheel; and who, while they should be dressed in decent homespun, as were their frugal grand-mothers, now carry half of their father's crop upon their backs; and surpass, in the foppery and expence of their popinjay habiliments, all the belles of Jerusalem in the days of Isaiah, in all "the bravery of their tinkling ornaments, and their caul, and their round tires like the moon, their chains, and their bracelets, and their mufflers, their bonnets, and their ornaments of the legs, and their headbands, their tablets, and their ear-rings, their rings and nose-jewels, their changeable suits of apparel, and their mantles and their wimples and their crispingspins, their glasses and their fine linen, their hoods and their veils."<sup>5</sup>—Ingrate!

But is there nothing besides this infamous and abominable reluctance against extricating our country from the debt she has contracted, in order to secure to us and our remotest posterity, peace and happiness and safety and liberty and independence? Is there nothing else to tarnish the glory, and sully the lustre of the renown we acquired by baffling the machinations of Britain, to reduce us to perpetual vassalage? Would to Heaven there were not! But I lately saw, and I saw with ineffable regret, a design to perpetuate our national disgrace by prevailing upon our legislature to enable *him that is unjust to be unjust still, and him that is filthy to be filthy still*,<sup>6</sup> and him that has been a great rogue during the lawful tender of depreciated continental currency, to be a still greater rogue than ever he was. To enable, I say, every one who comes within the description of the fugitive band that joined David in the Cave Adullam, that is *every one in distress, and every one who is in debt, and every one who is discontented*,<sup>7</sup> to defraud his neighbour, *according to law*. And how was this? Hear me and I will tell you. While we ought to have complied with that inexpressibly important requisition of Congress, so happily calculated to lessen our national debt<sup>8</sup> (and in some respects peculiarly advantageous to this state) we amused ourselves with petitions for and against flooding the country with a new inundation of paper currency,<sup>9</sup> which every reasonable man must know (and I appeal to every reasonable man's conscience that he does know it) had no other view in the world than to enable those very petitioners (excepting perhaps a few of your signers *en passant*,<sup>10</sup> who would as easily be induced to subscribe their names for abolishing the decalogue, and hanging all the legislators upon the continent) than to enable those very petitioners to play over the same game, which they so successfully played during the blissful days of depreciated *conti*.<sup>11</sup> This indeed is a pretty way of paying one's debts; but what a pity that the devil will not be bribed with such money, to spare the man who tenders it? And will any of our legislatures facilitate the future perdition of human souls, by again tempting mankind to sport with conscience and damnation, *agreeably to acts of assembly*? I trust they will not.

I shall shew, in the course of these papers, that the money in question is only wanted (except as to a few individuals, who by the bye, from the greater publick detriment of which such a measure would infallibly be productive, are not, in this instance, the object of legislation but of private commiseration) by those very same idle spendthrifts, dissipating

drones of the community who have felt the sweets, during the legal tender of depreciated paper, of living upon the sweat of their neighbours' brows: by those same drones, who, instead of repenting in sack-cloth and ashes, for their late circumvention of their creditors, want to repeat the risque of being condemned for their meditated fraud by that tribunal which will never admit an act of assembly as a plea in bar to an indictment for manifest fraud and covin.<sup>12</sup>—I shall shew, that such a measure, instead of restoring, will continue the loss both of publick and private credit; and keep, forever keep, locked up in trunks and coffers and strong boxes, the gold and silver now amongst us; and which those who have it would be blockheads, in the *superlative degree*, to send it forth into *this breathing cheating world*, as long as any legislature lends weapons to the borrower to defend himself against the honest repayment of the loan. Will not every man who has it keep it, and prudentially keep it, till the commencement of that happy period (the prayer of all honest men, and the dread of every knave) when laws will be made in favour of creditors instead of debtors; and when no cozening, trickish, fraudulent scoundrel shall be able to plead legal protection for this cozenage, tricks, frauds and rascality?

I shall moreover shew, that so fatal a step, tho' it may meet the wishes of the gentlemen in the *Cave Adullam*, must be extremely discouraging to the virtuous and industrious part of society. This valuable part of the community only want to enjoy in safety the product of their labour. Shall they not enjoy it, ye legislators! because ye are pelted with petitions from those who want to ravish it from them? I verily believe (provided the wolves are as conversable now, as they were in the time of Aesop) that I could procure a petition from them to our legislature, for delivering all the sheep in New-Jersey into their hands. Those of them who could not write, might make their marks; and to save even the trouble of that, the acting and petition-fabricating wolf, who carried it about, might subscribe the name of every other wolf he knew. These humble petitioners might, like many two-legged beings, in similar cases, enforce their request by assuring the legislature that such delivery of our sheep would relieve many a poor wolf from his present distress, and save him the trouble of ranging an immensity of forest for his daily subsistence, and I warrant you that such petition would be signed by *a great majority* of the wolves. But then—what then? Why, they would only be wolves that signed it.

*N. J. Gazette*, Jan. 9, 1786.

1. "Primitive Whig" was identified as WL by Theodore Sedgwick.
2. "[He] who knows how to use with wisdom the blessings of the gods, to endure hard poverty, and is not afraid to die for cherished friends or fatherland" (Horace, *Odes*, Book 4, Ode 9). WL omits, "peiusque lets flagitium timet," and who fears dishonor more than death.
3. Isaiah 1:22. The verse actually reads, "Thy silver is become dross."
4. 2 Samuel 1:20.
5. Isaiah 3:18–23.
6. Revelation 22:11.
7. 1 Samuel 22:1–2.
8. For previous discussion of discharging the national debt see Charles Thomson to WL, Aug. 24, 1785.
9. By 1784, the New Jersey Assembly was receiving petitions for and against a paper emission on a regular basis. (See, for example, *General Assembly* [Aug. 5–Sept. 2, 1784], 99, 113, 129; [Oct. 25–Nov. 29, 1785], 37; [Feb. 15–Mar. 24, 1786], 6.)
- In November 1785 "An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the mode for sinking the same," was introduced to the assembly. It was designed to provide relief for New Jersey's numerous debtors, hard-hit by depression and heavy taxes. The bill was vociferously opposed by members of the elite creditor class, such as WL, who stood to lose if their debts were repaid in paper money rather than specie. Later that month the assembly approved a motion by Abraham Clark to postpone consideration of the bill until the following session (*General Assembly* [Oct. 25–Nov. 29, 1785], 17, 73, 76–78).
10. *en passant*: on the way or by the way.
11. *conti*: continental currency.
12. *covin*: a secret conspiracy to injure another person.

## From William Peartree Smith

N York 12 January 1786

Dear Honored Sir

I embrace this favorable Opportunity by Mr. Yates to thank you for your most Obliging & friendly Letter, respecting my Petition for the prosecution of *Crane's* [Surches?].<sup>1</sup> I had no doubt of your Excellency's power as Supreme executive Magistrate to direct this on behalf of the State—but find you are Scrupulous on the point. I must therefore rest content with your kind assurance of obtaining an Act of the Legislature for that purpose at their next sitting. I wish it may be obtainable. I cannot *now* bear the Loss, without too sensibly feeling the Injury.

With respectful Compliments to Mrs. Livingston. I am Your Excellency's most Obediant Servant.

WM. P. SMITH

ALS, MHi.

1. See WL to William Peartree Smith, Dec. 8, 1785.

## “Primitive Whig,” No. II.

[January 16, 1786]

*Pleased with the whistling of a name,  
See Cromwel damn'd to everlasting fame.*

POPE.<sup>1</sup>

THE question about the expediency of another edition of bills of credit, is of such importance, that it behoves every man who has a real concern for the prosperity of his country, and I may venture to say, for the very existence of this state, most seriously to revolve in his mind this momentous subject; and to oblige the publick with his speculations upon it. The mischiefs to be apprehended from so fatal a measure are almost innumerable; and as all of them are not likely to occur to one man, I wish that those who have clear ideas of the matter, but may be diffident of their abilities to dress them in such language as they would choose to have them appear in before the world; and are at the same time pleased to entertain such favourable sentiments of me as to think that I could give them a finer suit—I wish, I say, that such of my fellow-citizens would honour me with their observations upon this very interesting subject, or on any other conducive to the emolument of our country, directed to the *Primitive Whig*, under cover to Mr. Collins.

But to the point in question, Who are the men that are in favour of paper money? They are, generally, debtors; and debtors, by their own confession, utterly irretrievable without this iniquitous device. Iniquitous I call it, because, unless they pay their debts in money greatly depreciated at the time of payment, it can afford them no relief. How in the name of common sense should it? They are indebted. To pay their debts, they must take this money upon loan. For the repayment of this loan, they must mortgage their lands. And how is this mortgage to be discharged? In what better situation for being enabled to pay A, by running in debt to B? How is the last debt to be paid? Surely unless they annually raise out of those lands so much more than they spend, as will lessen part of the principal as well as discharge the interest, and by that means quiet the creditor, the premises mortgaged must be taken in exe-

cution at last. But that, I can tell them, they never can do, unless they will be really industrious and frugal; and oblige their wives and daughters to dress like the wives and daughters of *poor distressed debtors*, instead of parading in all the foppery and finery of the most opulent and independent fortunes. It is therefore their hopes of the depreciation of this money, that is the whole burden of the song. And thus the business is eventually to terminate in the shifting the creditor instead of paying the debt, or the finally sham payment of it in depreciated currency, to their great consolation indeed as to the saving their bodies from imprisonment, but to the evident exposition of their souls to eternal perdition for such bare-faced knavery. It is, I say, their expectation that such depreciation will ensue (and from our experience of the *inviolability* of the publick faith of former legislatures respecting this same *no-money*, we have the greatest reason to believe such depreciation will really ensue) that these same debtors are so clamorous for this charming and necromatic paper that, by the charming and necromatic Hocus Pocus of an act of assembly, can be made legally to discharge a debt, when in fact and in honour and in conscience and reality, it doth not discharge the tenth part of it. Justice! whither art thou fled? Honour! Truth! Virtue! where have ye taken up your abode? That any legislature should ever be made the dupes of such unconscionable, prevaricating, double-minded, insidious petitioners! That any legislature should, for *their* relief, pass acts necessarily tending to annihilate all publick faith, and all private credit! Ah! The passion for ensuring elections *per fas & nefas*!<sup>2</sup> But of our present assembly, I hope better things. They are men of too much sense, of too great honour to be so duped. They know such kind of petitions to be evidently founded in self-interest. For where is the man of property, the man *out* of debt, the industrious man (excepting perhaps a very few individuals, who, for the sake of popularity, or for want of better knowledge, countenances the scheme) that does not reprobate this ruinous measure? But it will be reported, that those who are against an emission of paper money, being creditors and men of property, are also self-interested in their opposition to it. Granted. But great is the difference between the self-interest and honesty of these and that of the debtors in question. The interest of the creditor coincides with that of the community. Not so the interest of the debtor. The former desires no more than his own. The latter wants to pocket the property of another. The one, by opposing a further emission of an intended fraudulent me-

dium, labours to restore our national credit. The other, by making it a continual resource for his own convenience, prolongs the disease and inflames the malady. Surely therefore the self-interest of the one is just and laudable: that of the other knavish and infamous. And will any legislature, so far pervert the solemn and sacred trust of legislation, as to enable, under the august sanction of law, such debtors to triumph over such creditors? By what motives must such legislatures be influenced? I desire to be excused from answering the question.

*N. J. Gazette*, Jan. 16, 1786.

1. Alexander Pope, "An Essay on Man," Epistle 4, ll: 283–84. The correct quotation is, "Or ravish'd with the whistling of a Name, / See Cromwell, damn'd to everlasting flame!"

2. *per fas & nefas*: by right or by wrong.

## From Peter Augustus Jay

New York 20th January 1786

Dear Grandpapa

I came to town the Monday before last & left all our friends at Rye very well.<sup>1</sup> Mama has almost given over all hopes of seeing you this winter. I can now ride pretty well & have left my Pony at Rye.<sup>2</sup> Uncle Peter<sup>3</sup> is to try to get another one of a man that lives in that neighbourhood.

Thank Grandmama for the stockings she sent me & tell her that they fit me very well & as it has been extreme cold this day or two past I have found them quite comfortable.

There are now Plays acted here three times every week,<sup>4</sup> but I have not yet had the pleasure of seeing one. General Schuyler<sup>5</sup> is now in town & says that he longs to drink Porter & eat Oysters with you. The Legislature is now met so that if you come to town soon you will see a great many of your old friends.

I will have the pleasure of writing to you again soon. I am your most affectionate & Dutiful Grandson

PETER AUGUSTUS JAY

ALS, MHi.

1. The Jays had spent the holidays at the Jay family home at Rye.

2. For WL's promise to buy Peter a horse see WL to Peter Augustus Jay, Nov. 25, 1781, 4:336–38.

3. Peter Jay, John Jay's brother.
4. The theater had been reestablished in New York City after the Revolution with the reopening of the John Street Theater in 1785, despite a widespread public outcry against such types of entertainment.
5. Philip Schuyler.

### “Primitive Whig,” No. III

[January 23, 1786]

— *Dum recitas, incipit esse tuus.*

MART.<sup>1</sup>

COULD petitions change the immutable nature of things, they ought to have greater weight with all American legislators than many of them have frequently deserved. Nothing is more easy than to procure petitions<sup>2</sup> for any measure in which the petitioners themselves are self-interested, be the operations of that measure ever so injurious to the general weal of their country; and I will venture to say, that every petition which will be laid before our legislature in February next for the emission of a paper currency, when stripped of the plausible guise in which it is dressed, and reduced to the real and native ideas secretly intended to be conveyed, will only amount to, and ought, in all honesty, to run in the form following:

To the honourable the legislative-council and assembly of the state of New-Jersey, in general assembly convened.

The petition of the subscribers inhabitants of the county of—  
Humbly Sheweth,

THAT your petitioners, induced by the laudable example of your honours predecessors,<sup>3</sup> then legislators of this happy state (for-ever revered be their precious memories) to enable unfortunately profligate debtors to discharge their contracts with a fortieth part of their real amount, did not conceive ourselves obliged to appropriate the punishment inflicted upon Adam, *to eat bread in the sweat of his face*,<sup>4</sup> which seemeth to us rather inconsistent with the dignity of members of a free, sovereign and independent state. That from this honourable principle, a principle naturally interwoven with the idea of a republican government (in which there ought to be a community of goods, and the poorer sort to live upon the industry of the richer till all is reduced to a perfect equality) your petitioners, instead of the drudgery congenial to the slaves of arbitrary monarchies, have hitherto preferred the borrowing

of money, and otherwise running in debt, to the ignominious humiliation of working with their own hands. That being by those means, involved in debt, they are cruelly threatened with law-suits, which will prove double afflictive as not only tending to compel the payment of the debt, but as superadding to it certain costs for the detention. Indeed your honours predecessors have so far anticipated our humble desires in the last particular, as to charge the plaintiffs with the chief expence of every prosecution. This was a blessed assembly, and the memory thereof is still savoury as the spices of Arabia; and tho' the lawyers, those crooked serpents in human shape, that will never work without pay, call it *Parliamentum indoctum*,<sup>5</sup> because it was guilty of a few queernesses relative to the practice of the law, yet our schoolmaster, who understands Latin as well as they, declares, that, with respect to us, it was *Parliamentum commodum*.<sup>6</sup> But there is still much to be done, may it please your honours, for our perfect and plenary relief. We have still to expend money for procrastinating judgments, for bribing of sheriffs to delay the final process of law, and for bringing writs of error where no error has been committed. For as the law now stands, we are still ultimately liable to pay our debts without remedy. This, in these hard times, and during such a want of circulating medium, your honours must be sensible, is an insupportable grievance—a grievance, which, in our opinion, can no otherwise be remedied than by the honourable legislatures emitting a paper currency, for the relief of all the citizens of this state in the like deplorable situation with your petitioners. But whereas it has, by some been proposed, to issue such bills without making them a legal tender, your humble petitioners beg leave to shew that such a currency would not extricate them from their present difficulties: And whereas it has been proposed by others to make it a tender only for debts hereafter to accrue, and that only according to its depreciation at the time of the tender, your petitioners must beg leave to insist that neither would this prove a remedy adequate to their lamentable situation. It is not posterity that your petitioners have in contemplation—it is themselves. And unless the act petitioned for, operates *ex post facto*,<sup>7</sup> we may as well pay our honest debts without any more ado; and to make good the depreciation! It would ruin us.

Your petitioners therefore humbly pray that your honours will pass a law to shut up the courts of justice for three years from the publication thereof (at the expiration of which we intend to do ourselves the honour of again petitioning for the further silencing of those dreadful engines

of compulsion) and also to issue the said paper currency upon such security as you know before-hand that it will infallibly depreciate; and to make it a lawful tender for all debts already contracted at any stage of its depreciation.

And your petitioners in duty bound shall ever pray.

Amos Spendthrift,	Jeremiah Putoff,
Josiah Workless,	John Sharper,
John Tippler,	John Sharper, jun.
Wouter Zenderwerke,	John Sharper, the 3d.
Jeremy Grog,	John Sharper, the 4th.
Peter Holiday,	John Sharper, the 5th.
Simon Dreadwork,	Louis San-Souci,
James Saunter,	Jerolomen Feartoil,
Obadiah Horserace,	Jo. Lawless,
Paul Ploughless,	Harmanua Nixbotalen,
Hezekia Dolittle,	Israel Conti,
Isaac Fightcocks,	Christofel Vryman,
Jeronymus Notax,	Jean-Jacque Perruquier,
David Neverpay,	Bartholomew Thoughtless,
Pere Frifeur,	James Signaway.

*N.J. Gazette*, Jan. 23, 1786.

1. Marcus Valerius Probus. *Dum recitas incipit esse tuus*: As you recite it, it begins to be your own.

2. For references to the numerous petitions received by the legislature see "Primitive Whig," No. I, [Jan. 9, 1786], n.9.

3. The New Jersey Legislature on June 13, 1781, June 18, 1783, and Dec. 8, 1784, passed laws enabling debtors under certain conditions to repay debts contracted in specie with paper currency (*Acts* [May 24–June 28, 1781], 83, [June 9–June 19, 1783], 70–71, and [Oct. 26–Dec. 24, 1784], 130–31).

4. Genesis 3:19.

5. *Parliamentum indoctum*: unlearned parliament.

6. *Parliamentum commodum*: useful or obliging parliament.

7. *ex post facto*: after the fact.

## "Primitive Whig," No. IV

[January 30, 1786]

*Which come unto you in sheep's cloathing; but inwardly they are ravening wolves.*

ST. MATTHEW.<sup>1</sup>

It is with peculiar pleasure that I publish the following letter, so coincident with my own ideas upon a very interesting subject; and, in my

opinion, so happily calculated to convince every impartial mind of the ruinous consequences to be apprehended from the present fashionable wretched expedient of emitting paper money without solid funds for its redemption; or rather with the greatest prospect of its depreciating for the want of faith in those who promise to redeem it.

To the PRIMITIVE WHIG.

Sir,

I cordially felicitate myself and my country on its having pleased Providence to inspire so animated a writer as yourself, to open the eyes of those who are really deluded; and to stigmatize with eternal infamy those, who, against the dictates of their own consciences, are determined to risk the ruin of the state, by continuing the destructive system of a paper currency; a system expressly calculated to serve their own private purposes, to the utter abolition of both publick and private integrity; and to the infallible impoverishment of the most industrious and meritorious part of the community.

The most plausible reason that I ever heard adduced for this iniquitous measure (and that indeed is only plausible and specious) is this: there are, say those pharisaical doctors, (under the solemn guise of mighty zeal and concern for the poor and distressed, but in reality, like their brethern Pharisees of old, merely actuated by self-interest, and *devouring widows houses*)<sup>2</sup> there are a number of our citizens, who have contracted debts not with a design of defrauding their creditors, which we must admit to be the case with most of our debtors, but for the purchase of their farms; to pay for which they were obliged to borrow, upon interest, part of the consideration money. In the present scarcity of cash, they cannot discharge those their incumbrances; and unless we make paper money or put a stop to legal proceedings, those farms will be taken in execution, and sold much below their real value. Granted, I pity those farmers. They are distressed. I pity all men in distress. I wish they could be relieved: but I wish it not at the expence of ruining ten citizens for the relief of one. Don't let us think of extricating them out of their difficulties by making paper money. Don't let us think of doing it by stopping the regular course of law and justice. Tremendous subterfuge! Quack prescription! Rather let those farms be sold below their value. What has the legislature to do with those farms? What with the debts and distresses of their respective owners? Those debtors may probably be, and I suppose really are, the objects of private compas-

sion; but they are not the subjects of publick legislation. The legislature did not involve them in their present disagreeable situation. Under what obligations are they to pass any laws to extricate them from it? And such laws as evidently militate against the common weal? Laws that, while they relieve one of those individuals, would render the property of twenty others precarious and insecure! Nay, laws that, in order to ease the debtor, must evidently defraud the creditor. Is it not better to leave a few individuals to the mercy of their creditors, than to set all property afloat: and to make the mutual faith and confidence we have in each other, respecting trust and credit, little as it is, still infinitely less? The object of legislation, is the general good of the community. What right, upon this principle, has a few at the expence of thousands? Indeed, Mr. Whig, I have often doubted the constitutionality of those kind of laws. It is true, indeed, that in a certain sense, the legislature is omnipotent. Their laws, except in those instances in which our charter has given them no right to legislate at all, and in which our courts of justice would consequently decide their acts to be null and void (tho' I remember an instance in which some members of our assembly took even this in high dudgeon) must be considered as obligatory; and not only from a sense of duty, but in consideration of the facility to procure the repeal of any law that is found inconvenient (a facility peculiar to the American constitutions, in which all authority is declared to be derived from the people) I am too good a subject not to inculcate an implicit obedience to every legislative act while subsisting and unrepealed. But at the same time, be the construction of law what it will, I know that in equity and honour and good conscience, these same legislators may so exceed the true limits of their destination, and the confidence reposed in them by their constituents, as to pass laws directly contrary to the nature of that destination and trust; and such as no man of *equity* and *honour* and *good conscience*, could ever prevail upon himself to pass. These gentleman are undoubtedly delegated to enact laws for the security of our lives and properties. If therefore they should pass any laws that, instead of securing, rendered either of those objects (for the protection of which, it is to be presumed that men surrendered the greater liberties of a state of nature, and entered into the social compact) more precarious than in that state they were, would they not exceed the necessarily implied circumscription of their duty? As to *life*, I do not indeed recollect any case in which our legislatures have passed a law to hang one man for a crime committed by another: but as to *property*,

there are numberless instances in which they have said that the estate of A, should in future belong to B. How, and in what manner, you will ask? Why, not indeed in express terms, and so many words, because that would rather have looked a little *unlegislative*; but in substance and virtually, they have said it, and that amounts to the same thing. I will give you two instances. First, some of our legislatures have passed what they called acts for the relief of insolvent debtors, but what others very properly termed acts conducing to the encouragement of villany. Had none of those acts been made *ex post facto*, that is to say, operating as to debts contracted previous to their passing, but only affecting all debts in future to be contracted, I could not have proved my proposition; tho' even in such case (where-ever they are extended beyond the British acts of bankruptcy, which were originally intended to be restricted to merchants liable to peculiar accidents on the ocean, and by giving credit) they will ever be found ruinous to a country that is to subsist by agriculture. But to alter, by subsequent act, the nature of a man's security from what it was at the time of his lending the money; and for a legislature to say the year after, that if the debtor will now swear that he has nothing to pay, he shall be discharged from paying, is it not furnishing mankind with a violent temptation so to swear? Is every legislature totally exempt from members, who, by so swearing, want to annihilate their own debts? And is it not a demonstration of my proposition that such law transfers the property of one man to another? Secondly, every legislature that can be prevailed upon to emit a paper currency which they have rational grounds to believe will depreciate, and make such currency a legal tender after, and notwithstanding its depreciation, does transfer the property of A to B, *quod erat demonstrandum*:<sup>3</sup> But that every such legislature is a collection of *Primitive Whigs*, and incorruptible patriots, I do not believe that either sir Isaac Newton or mr. Locke,<sup>4</sup> had sufficient abilities to demonstrate.

PROBUS<sup>5</sup>

*N.J.Gazette*, Jan. 30, 1786.

1. Matthew 7:15. The full text is "Beware of false prophets, which come to you in sheep's clothing, but inwardly they are ravening wolves."

2. Matthew 23:14.

3. *quod erat demonstrandum*: which was to be proved.

4. John Locke.

5. Probably the first century A.D. scholar Valerius Probus.

## From Charles Thomson

Office of Secretary of Congress

February 1st, 1786

Sir

In obedience to the order of Congress<sup>1</sup> I herewith transmit to Your Excellency, to be communicated to the Legislature, a state of the representation for the last Month.<sup>2</sup> I am sorry that this goes unaccompanied with any Journals of the proceedings of Congress. So few States have attended that for these three Months past little has been done besides adjourning from day to day.

On the 30th of last Month, the States present, impressed with the urgency and importance of the several objects of general concern, which demand the immediate attention of the United States in Congress Assembled, have directed their Chairman to write to the States of Rhode Island, Delaware, Maryland, Virginia, North Carolina and Georgia, to state to them the inconveniences arising from a want of a sufficient number of States to proceed on the business of the Union, and earnestly press them to send on their Delegates immediately.<sup>3</sup> With great respect I have the honor to be Your Excellency's Most Obedient & Most humble Servant

AL, Nj.

1. A congressional resolution of Aug. 17, 1785, directed the secretary of Congress to report monthly to every state legislature which states were represented the previous month (*JCC*, 29:631–32).

2. Representation not found.

3. The resolution was approved Jan. 30, 1786 (*JCC*, 30:29).

## Answer to "Primitive Whig" (A)

[February 6, 1786]

MR. COLLINS,

*Please to give the following a place in your next week's gazette, and you'll oblige a constant customer, and the publick in general.*

IN answer to the Primitive Whig. No. 2.<sup>1</sup> Nothing is more astonishing, in this present age, as to behold men of judgment so biased with

self-interest, as to sacrifice all truth, honour and virtue; it therefore behoves every uninterested man, who has a real concern for the welfare and prosperity of his country, to oblige the publick with his speculations, if grounded upon good principles. I have for a long time continued silent, and could have wished to remain so, daily expecting to see men of brighter abilities step forth, in defence of their distressed country, to answer those able though most self-interested and biased pieces, at sundry times published in your weekly gazette, which are so strenuously supported by the Primitive Whig, in opposition of a new paper emission, but rather a circulating medium. But apprehensive of such daily ruins occasioned by such evil-minded speculating and designing men daily subsisting, which calls for immediate relief, and now is the only object which induces me (though uninterestedly, only for the real concern and prosperity of my distressed country) to take up my pen, in vindication of my country and the publick petitioners for a new paper emission, whom Mr. Whig so scandalously reprobates and censures, as a set of double-minded, unconscionable, prevaricating and insidious petitioners. I could wish Mr. Primitive Whig had honour enough to apply that phrase on those deserving that compliment, and not on the publick in general, but on those self-interested designing beings (or pick-pockets as they may be stiled) and such as would wish to drive their neighbours to the utmost extremity, in order to engross their estates into their own hands; yet he will attempt to hold those up as just and laudable. Impartial publick, judge for yourselves! Must honesty be turned into knavery, and knavery into honesty! The first point in question, who are those in favour of a paper currency? He answers, they are debtors, and debtors by their own confession utterly irretrievable, without this iniquitous device of a paper currency. He calls them so, because, unless they pay in money greatly depreciated at the time of payment, it can afford them no relief. How in the name of common sense, can Mr. Whig support that argument. If the industrious man could have good hard (or any other lawful money) on loan, for five or six years, to pay a debt immediately called upon, at the risk of having his land sold by execution, would that afford him no relief? whereas without it his estate must be sold for half nothing. Very astonishing. Surely he may annually raise out of that land so much more as he spends, to lessen the principal in seven years, and as will discharge the interest. He further adds, in what better situation can a man be, to be enabled to

pay A, by running in debt to B. This question is already answered. Further undertakes to remind the inviolability of the publick faith, of the former legislature, has been experienced, which gives undoubted reason to believe, such depreciation will really ensue. Doth he compare that time with the present established independency? Must not every impartial friend to his country be convinced, of a wide difference between the former and the present time and the plan for which those petitioners petition for? Can he compare the present on the same footing as the former? By no means. Although he would wish to condemn it already to a tenfold depreciation, and thereupon calls for Justice, whither art thou fled, Honour, Truth and Virtue, where have ye taken up your abode? Surely not in those designing men, nor in the man that, through self-interested views, would scandalously censure the publick (without having any knowledge of them) as a set of insidious beings. Is there any spark of Justice, Honesty, Truth or Virtue in them? No, it is fled from him. Well may he call out Justice, whither art thou fled. Beware, my fellow-citizens, of wolves, that come to you in sheeps cloathing, lest they devour you. What Honour can frequent the doors of a set of self-interested beings, whom, from principle of self-interest, would grind the face of the poor and needy. Is it Honour to drive the man that's unable, for the want of a circulating medium, to utter ruin and despair? Is it Honour for a man to covet his neighbour's estate for half value? No. Surely we hope better things from our present assembly. They are men of too much sense, to be so duped as to suffer that power any longer to remain in the hands of those self-interested speculators, to triumph over the poor and distressed. He further adds, no man of property, no man out of debt, nor the industrious, except a few individuals, countenance the scheme. Can he assure this from knowledge, doth he know the minds of the publick in general? If that be the case, he certainly must know that those petitioners in opposition, are a set of self-interested beings, such as lawyers, who glory in the guinea fee, for every suit brought against the poor debtor, who, by those wicked petitions, is prevented to save himself from total ruin. Next, are those who possess hard money under lock and key, therewith to speculate on the ruins of his fellow-citizens. Next are the hard-hearted creditors, who through self-interest, are hurrying the poor debtor to the last extremity, in order to engross his estate into his own hands; and the next, are a few individuals, who (for the want of judgment, through preservation by

the former) are led by a train of bug-bears, to believe that the fear of a depreciating paper currency, banishes the hard money, and keeps the same under lock and key, but destitute of a remedy to remove that pretended fear, and with such like arguments, they are straining every nerve, in opposition to a circulating medium, not out of real fear of its depreciating, but with a fixed determination to carry their ruinous, and most self-interested schemes into execution. Is this self-interest just and laudable as the Primitive Whig has been pleased to term it, and adds, by what motives must such legislature be influenced in favour of a paper emission, he desires to be excused from answering the question. Well may he desire it. My dear countrymen, beware of false prophets, who prophecy, that the payment in a paper emission will only save your bodies from imprisonment, but will be the evident exposition of your souls to eternal perdition, for such bare-faced knavery; wherein that knavery consists I cannot account for, without it consists in paying your debts honestly.

A FARMER.

*N.J. Gazette*, Feb. 6, 1786.

1. See "Primitive Whig," No. II, [Jan. 16, 1786].

### Answer to "Primitive Whig" (B)

[Feb. 6, 1786]

To the honourable, the legislature of the state of New-Jersey.  
The Memorial and remonstrance of the subscribers, inhabitants of the county of Cumberland, Respectfully Sheweth,

THAT your memorialists have observed with regret, in the votes and proceedings of the house of assembly, at their last sitting, that a bill was brought in, and is now under consideration, for striking the sum of one hundred thousand pounds in bills of credit.<sup>1</sup> Fully persuaded that any increase of the paper currency of the state, at this time, will prove highly injurious both to this, and the United States; we conceive it to be our duty, as free citizens of a free state, to remonstrate against it, in the strongest terms.

As gold and silver, by the general consent of all civilized nations, have become universal currency, and by their intrinsic value are objects of

*real* wealth; where a sufficient quantity of those precious metals can be procured, to answer the purposes of a circulating medium, it must be very impolitic to have recourse to an *ideal* currency, which can have no intrinsic value in itself, and which, as it must be sunk in a few years, will increase the *debt* without adding any thing to the *wealth* of the state.

The quantity of circulating coin in the state cannot be exactly known, but that there is not such a scarcity of it as to render it necessary or expedient to emit paper as a substitute for specie, is evident from the high prices of labour and produce, and the ease with which they can be converted into specie. There are few countries whose staple commodities bear so high a price, and still fewer where labourers, mechanicks, and manufacturers can command so much gold and silver for their work, as in our country. This clearly proves, that there is a greater quantity of specie in the state, in proportion to the saleable property of the state, than in most other countries with which we are acquainted; and that the want of money so loudly complained of by individuals, rises solely from the want of that industry, prudence and frugality, necessary to procure it.

But supposing that there was a *real* scarcity of specie now in circulation, we apprehend it would be bad policy to emit paper money, at this time, for the following reasons:

1. Because a scarcity of money is a political disease, which, if left to itself, will naturally effect its own cure, by producing a change of commerce in our favour, and forcing us into those virtuous habits of industry, oeconomy and simplicity of manners, so essential to the welfare and prosperity of states, more especially that of republicks.

2. Because, as a sovereign independent nation, we have it in our power, by the regulation of commerce, and the encouragement of agriculture, arts and manufactures, to procure an influx of gold and silver into the state, and thereby supercede the necessity of a paper currency.

3. Because money being the representative of property, the emission of paper money, if it can be made to circulate, will inevitably prevent gold and silver from coming into the state, and send out a great part of that which is now in it.

4. Because the publick securities and paper money already emitted, are sufficient to supply the *supposed* scarcity of gold and silver; and by a proper arrangement of our finances, and a moderate increase and prudent management of the revenues of government, may be made to an-

swer all the purposes of paper credit, without any of the pernicious consequences which must result from a further emission of paper money.

5. Because, circumstanced as our state now is, with the balance of trade against us, and a too great propensity in all ranks of people to purchase foreign superfluities, sound policy requires, that, until an alteration can be effected in our trade and manners, a measure which will tend to lessen our national oeconomy, should not be adopted.

6. Because paper money, from its local circulation, will encrease the embarrassments upon our commerce, and thereby render the balance of trade against us much greater than it otherwise would be.

7. Because it will be impossible to accommodate the paper money of an individual state, to the general system of finance established by the United States in Congress assembled, for the payment of their national debt, and support of the federal union.

8. Because, from our continual intercourse and political connexion, with our sister states in union, paper cannot be made to answer the purposes of money, unless its currency extends through all the states.

9. Because the instability of government, the deranged state of our finances, the repeated violations of publick engagements, and the general fate of all the paper money emitted since the revolution, have totally destroyed publick credit, and rendered it impossible, at this juncture, to make paper money a *circulating medium*, or to prevent its *depreciation*.

If left to itself, paper money will not circulate, for want of credit and confidence in government; and to enforce its circulation by making it a legal tender in the payment of debts, will destroy the little credit it might otherwise acquire from the voluntary exertions of individuals, by a recollection of the injuries lately sustained by the operation of tender laws, and the natural aversion of the human mind to submit to such arbitrary impositions; while the apprehension of being *compelled* to take the money *when* depreciated, will put a stop to commerce, and infallibly hasten its depreciation. For these reasons, and others which might be assigned, it is too obvious to be doubted, that, if paper money should *now* be made, it will immediately depreciate; and to make it a legal tender under *such* circumstances, would be sporting with the property of your constituents, and establishing injustice by law; a measure which, we conceive, no legislature, after having been witnesses of the evils which tender laws have so recently produced,<sup>2</sup> can think themselves justifiable to adopt.

Relying upon the candour, wisdom and integrity, of the representatives of a free people, we flatter ourselves, that the reasons we have offered, against the emission of paper money, at this time, will be duly attended to; and that the bill for that purpose, now under consideration, will be rejected.

*N.J. Gazette*, Feb. 6, 1786.

1. For reference to this bill, see "Primitive Whig," No. 1, [Jan. 9, 1786], n. 9.
2. New Jersey was one of seven states which had issued paper money by 1786.

### "Primitive Whig," No. V

[February 6, 1786]

*In the multitude of people is the king's honour; but in the want of people is the destruction of the prince.*

SOLOMON.<sup>1</sup>

COULD I be really persuaded that a new emission of paper money, would neither promote private fraud, nor publick discredit, I am sure that I should not be against the measure. As to personal interest in the matter, I have none. I have already been cheated out of all the money I had, by those who could pacify their consciences by what they called, *taking the benefit of the law*. God grant that their consciences may be properly alarmed before they launch into that awful eternity, where the defrauding one's neighbour, either under colour, or by express authority of human laws, will not be received as a justification of the sin. But the more I think of the matter, the more apprehensive I am of its pernicious consequences. Among numerous other reasons that I have against it, I am certain that it will discourage the settlement of foreigners amongst us. Smitten with the charms of such free and liberal constitutions as those of the United States; and in which even the taxes occasioned by the late war are nothing compared to those in any part of Europe in time of profound peace, there are thousands in that quarter of the globe, who want to transport themselves into North-America. Gentlemen of middling fortunes, who can make no figure *there*, would *here*, with the same fortune, make a brilliant one. Instead of *these* receiving four or five per cent for the loan of their money, they would *here* receive seven. And the debts occasioned by the late war once discharged, our

taxes thereafter will be a mere trifle. All this they know, and for this they pant to spend the remainder of their days in this land of liberty and plenty. But they are told, and the English are not wanting in reiterating the tale with exaggeration, that, in this country, there is no security for property, no stability in publick bodies as to the redemption of paper currency emitted upon the most solemn assurances; and that if they should let out their money at interest, they would in all probability never see it again. There is too much truth in this tale, tho' it is told with exaggeration. And will such monied-men, after a tale so told, come to settle amongst us? They will not. And yet would not one such man be more advantageous to this country than some twenty of those who are clamouring for paper money to cheat their fellow-citizens. They would. Population, says the motto of my paper, and it is taken from the wisest man that ever lived, constitutes the riches of a country.—We have an immense territory to settle. How do we settle it? Not by a proper encouragement of the influx of foreigners, who would be a real addition to our strength; but by schemers and projectors on the one hand, who, I suppose want to be petty princes in the western country, and lords paramount upon some of the lakes; and on the other hand, by those who are running away from publick taxes, and private debts. Thus we diminish our internal strength under the notion of extending our dominion. We injudiciously separate that emblematical bunch of rods of the United Netherlands,<sup>2</sup> which, collectively is strong and infrangible; but disparted, weak and contemptible. What are we to expect from settlers in the back country? What from people emigrating thither without carrying with them either law or gospel; and telling us as soon as they get there, *procul a Jove, procul a Fulmine?*<sup>3</sup> We might, in case of a war, as reasonably expect assistance by calling for it, upon the inhabitants of China, as upon those of Kentucke and along the eastern banks of the Ohio. We ought as soon to expect the payment of our taxes by the great mogul, as by the borderers of Lake Superior. I hope that the Indians will not knock these emigrants on the head for settling lands for which they say they have never been paid; and of which they certainly were the prime occupants. The Indians, tho' cruel in war (such is their manner of warring, and Achilles and Hector waged it in like manner) are generally honest men. I wish the *whites* were as honest. They part with their lands for a trifling consideration. Let us rather pay them that consideration out of policy than provoke the elevation of their tom-

ahawks against the heads of our citizens. Rather let us pay it from principle than unjustly possess ourselves of what is theirs.<sup>4</sup> *The beaven is the Lord's; but the earth hath he given to the children of men.*<sup>5</sup> That part of the earth now in question, belongs to that part of the children of men. They were there, when we came here. Possession, say the lawyers, is eleven points of the law. At any rate, it is a good title against intruders, who pretend to no other but their intrusion. But an honest man will not desire to wrest from them their possessions by force. William Penn, one of the wisest legislators, and one of the most conscientious of men in the world, did not.<sup>6</sup> Why the descendents of this great and good man were lately stripped of their patrimony by the commonwealth of Pennsylvania, I will not take upon me to determine. It is above my comprehension; and said King James I. of England, the *arcana imperii*<sup>7</sup> are inscrutable, save by those who hold the reigns of government, and doubtless this monarch was as great a mercury as his preceptor Buchanan<sup>8</sup> could make *ex quovis ligno*.<sup>9</sup> Sure, however, I am that the preamble to the act that so stripped them of their property doth not determine the justice of it to my satisfaction. — I return from all my digressions, I say that the future glory and riches of these states will eminently depend upon their population. That we ought therefore for this purpose, to give the greatest possible encouragement to the influx of foreigners. But that our system of a paper currency will eternally discourage such influx; and that it consequently is an argument against the further emission of such paper currency.

*N. J. Gazette*, Feb. 6, 1786.

1. Proverbs 14:28.

2. The fasces, used extensively in the art and architecture of the young American republic as a symbol of unity and power, were also used in the Netherlands and Great Britain.

3. *procul a Jove, procul a Fulmine*: far from Jupiter, far from thunderbolts (Proverb).

4. WL's grandfather Robert, first lord of the manor, had extended his 1686 grant for 2,600 acres from New York governor Thomas Dongan to 160,000 acres in 1714, when the manor was surveyed. Almost all of this acreage had been obtained illegally from the Indians. The 1715 confirmatory patent was itself the result of a corrupt deal between Robert Livingston and Gov. Robert Hunter (O'Callaghan, *Documentary History of New York*, 3:622–27, 689–90, 691, 697).

5. Psalms 115:16.

6. The Quaker William Penn has generally been credited with treating native Americans fairly. This practice began to change after Penn's 1722 death as the Quakers' increasing numbers caused them to ignore Indian rights. One of the most blatant swindles was executed by Penn's son Thomas, the second proprietor of Pennsylvania. In 1737 Penn and

local tribes negotiated the "Walking Purchase." The land to be purchased by Penn was to extend from the westerly branch of the Neshaminy on the Delaware to as far as a man could walk in a day and a half. Penn hired three strong athletic men, each famed as a strong runner, to mark the boundaries. The men covered sixty miles in the allotted time, much to the futile outrage of the watching Indians.

7. *arcana imperii*: state secrets.

8. George Buchanan.

9. *ex quorus legno*: out of this log. The full quotation is *ex puorus ligno non fit Mercurius*, or, "Mercury is not to be made out of every log" (Proverb). Historian David Hume noted of James I that he was "awkward in his person and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love" (*The History of Great Britain, the Reigns of James I and Charles I* [London, 1764; Pelican edn., 1970], 216).

## "Primitive Whig," No. VI

[February 13, 1786]

*Wo to thee that spoilest, and thou wast not spoiled; and dealest treacherously, and they dealt not treacherously with thee; when thou shalt cease to spoil, thou shalt be spoiled; and when thou shalt make an end to deal treacherously, they shall deal treacherously with thee.*<sup>1</sup>

PROPHET ISAIAH

To the PRIMITIVE WHIG.

Sir, I COULD not refrain from tears on reading the following letter and whoever feels not for the venerable and distressed widow who wrote it, is, in my opinion, not overburdened with sensibility. Encouraged by your kind promise to dress every paper that shall be transmitted to you on the subject of paper money, in a garb proper to appear in publick, I take the liberty to send you a few lines upon a very melancholy topic.

At the commencement of the late war, my dear husband then living, we had an ample fortune. A fortune, the enjoyment of which was perhaps sweeter to us, as being the product (by the blessing of GOD) of our joint industry and oeconomy, and not derived from the bountiful provision of our ancestors. Being both of us advanced in years, content with what we had, and having but one child, we lived, and we lived comfortably, upon the interest of our money. We were moreover enabled (blessed be GOD for his bounty) *to stretch out our hands to the poor.*<sup>2</sup> When the war broke out, my husband, and I thank heaven for it,

tho' to me it proved inexpresibly tragical, was, in a neighbourhood of tories, an inflexible whig. Though excused from militia duty on account of his age, he was determined to make one in that groupe of heroes who opposed and repulsed the enemy at Springfield. Passionately as I loved him; and tho' I had I know not what strange *presentiments* of his approaching disaster, I was determined not to quench his thirst of glory, or to prevent him from returning (should heaven spare his life) with the additional honour of having *the crown of glory of his boary head in the way of righteousness*,<sup>3</sup> rendered still more illustrious by being encircled with laurels. Had he consulted me about going, my affection for him would have prompted me to say, *no*. My regard for his honour, my love to my country, an example so stimulating to others, would have induced me to say, *yes*. Being by experience more certain of my affection for him than of my zeal for my country; he asked not my opinion. My opinion accordingly I did not give. We embraced, I shed a flood of tears. He went. He fought. He fell. Oh what a fall to me! And yet while I am melted into sorrow at the recollection of his death; I seem to rejoice that he *so* died. But what think you, MR. WHIG, of those hardened wretches, who, taking the advantage of depreciated continental money, have so paid me in that money, that, from ease and plenty, I am reduced, at the age of seventy-two, to the drudgery of a scullion. I desire still to be thankful to Providence, in that even in this humiliating condition, I could with what is still due to me, as my husband's legatee, subsist myself and my dear daughter, infirm and of a weak constitution, if no more paper money was emitted. But only think, sir, that within these three days, I was called upon by a man who owes me thirty-two pounds five shillings upon bond, which he solemnly promised to pay me on the first of November last; and upon which I depended for laying in my winter store; and who now has the face to tell me (had my dear husband been alive he would have kicked him out of the house) that, as the law now stands *epitomised and modernised*, he can keep me out of my money till the middle of next February, when the legislature will enable him to satisfy me with a new kind of paper money, *particularly calculated for the relief of poor debtors*.<sup>4</sup> My dear Fanny, my only child, who sits at my left elbow while I am writing this letter, and is mending a pair of stockings, which, in my dear husband's life-time, I should have given in charity to some poor woman, but am now that very object of charity myself; my dear Fanny, I say, (charming girl! methinks I see her father

in her eyes) knowing the subject I write upon, asks me, and asks it with sobs that would, I think, transpierce the hearts of the most obdurate legislators in the world; *pray, mama, will there never be an end of this paper currency that seems contrived to ruin poor widows and orphans like you and me?*

MR. WHIG, I desire to be resigned to the dispensations of Providence; and often console myself with the words of the prophet. *The Lord is our judge, the Lord is our lawgiver, the Lord is our King, he will save us.*<sup>5</sup> But I am frequently perplexed respecting my duty when I prostrate myself at the footstool of the throne of his tremendous Majesty. I will explain myself. When I consider the REVOLUTION as a real emancipation from the fetters which Great-Britain intended to rivet upon us, I feel it at my heart to thank GOD for it. When, on the other hand, I view it as perverted to the purposes of licentiousness, and particularly to the purpose of defrauding our neighbours with paper currency, I am in doubt whether I can conscientiously offer up my gratitude for it or not. As I believe you to be as great a divine as any of our country clergy, and a greater one than those of them, who deal only in unintelligible mysteries, and useless unedifying controversies, instead of endeavouring to convince their hearers, and to enforce their convictions with all the thunder and lightning of Mount Sinai, that notwithstanding all their religious professions, they will, unless they do to others as they would that others should do to them, and desist from cheating widows and orphans with depreciated paper money, be——damned; I intreat you, sir, to give me your answer to my question respecting my difficulty about thanking the Almighty, when at my devotion for our revolution. I am sir, Your most humble servant,

MARTHA HARDLINES.<sup>6</sup>

#### ANSWER

By all means, madam, thank GOD for our revolution; but pray him at the same time to reform all those unworthy sons of America who prevent it from being productive of those blessings that would be the natural result of it, were they honest industrious and virtuous citizens; and that he would in particular be pleased, in his infinite mercy, to turn the hearts of all those who want another emission of paper money to defraud widows and orphans, or any other of their neighbours to whom they are indebted.

*N. J. Gazette*, Feb. 13, 1786.

1. Isaiah 33:1.
2. Proverbs 31:20.
3. Proverbs 16:31.

4. Despite WL's literary efforts, the legislature, on May 26, 1786, passed "An Act for striking and making current One Hundred Thousand Pounds in Bills of Credit, to be let out on Loan, and directing the Mode for sinking the same." This act, which authorized the use of paper money to repay even those loans made in specie, also made money available for loans. These were to be arranged by loan offices against the borrower's lands or mortgages with an interest rate of 6 percent per annum. The triumph of the popular faction, led by Abraham Clark, caused WL and other elite leaders to distrust democratic rule which failed to protect their interests (*General Assembly* [Feb. 15–Mar. 24, 1786], 15, 43–44 [May 17–June 2, 1786], 7–8; *Legislative Council* [Feb. 15–Mar. 24, 1786], 24–25; *Acts* [May 26–June 2, 1786], 293–313).

5. Isaiah 33:22.

6. For other examples of WL's use of female pseudonyms refer to Klein, *Independent Reflector*, 101–2 and see vol. 2: 322, 480–82.

## To the Assembly

Trenton 17th February 1786

Gentlemen

I herewith lay before the honourable House a Letter from Mr. Otto, the charge des affaires of France of the 28th of December, & another of the 18th of January last.<sup>1</sup> The first of these letters was accompanied with a Brever<sup>2</sup> from his most Christian Majesty<sup>3</sup> to Mr. Andrew Michaux (herewith also transmitted) whom the King has sent into this country as his Botanist to establish in the neighbourhood of New York a botanical garden for the mutual advantage of both nations.

I likely lay before the honourable house Mr. Michaux's petition for Liberty to purchase a small tract of thirty acres of land in the neighbourhood of Bergen,<sup>4</sup> without previously acknowledging himself a Citizen of America, a plantation for the above purpose.

A design so apparently beneficial to both countries by this interchange of trees & plants & the promotion of agriculture, will I doubt not, meet with the approbation of the Legislature in granting the prayer of the said Petition.

WIL: LIVINGSTON

ALS, MHi.

1. Refer to Louis Guillaume Otto to WL, Dec. 28, 1785, and Jan. 18, 1786, and WL to Louis Guillaume Otto, Jan. 3, 1786 (all Nj).

2. Probably "brevet," an official document from a government or a sovereign bestowing specified privileges.

3. Louis XVI of France.

4. The New Jersey Assembly passed an act on Mar. 3, 1786, allowing Michaux to purchase land in New Jersey. Michaux established nurseries at Bergen Neck, N.J., and Charleston, S.C., for the cultivation of American plants to ship to France.

## To Susannah French Livingston

Trenton 19 february 1786

Dear Sukey

I am anxtious to hear from you as I left you but in indifferent health. It was well I went to town the evening before, as the waggon set off a little past five o Clock, & got here the same day. Henry told me he wanted to be sold because he could not work.<sup>1</sup> I suppose that [Welsky] has been again at her old trade of carrying tales. I told him I would settle that matter with him when I returned. I am your affectionate husband

WIL: LIVINGSTON

ALS, MHi.

1. Possibly Nicholas Henry Wickessen, a German servant whose indenture WL had purchased in March 1785. Refer to Peter Wickoff to WL, Mar. 31, 1785 (MHi). For the most recent mention of WL's purchase of slaves see Timothy Brush to WL, [Mar. 5, 1785].

## From Edmund Randolph

Richmond, Virginia, February 19th, 1786

Sir

I do myself the honor of transmitting to your excellency the inclosed resolution.<sup>1</sup> The Commissioners thereby appointed have instructed me to open the communication, which it directs, with the several States.

It is impossible for me to decide how far the uniform system in commercial regulations which is the subject of that resolution may or may

not be attainable.<sup>2</sup> I can only venture to declare that the desire of such an arrangement arose from a regard to the federal interest.

The Commissioners of Virginia have therefore only to request the concurrence of your State, and to propose the first monday in September next, as the time, and the City of Annapolis, as the place, for the meeting of the different deputies.

I have the honor, Sir, to be your excellency's most obedient servant

EDMUND RANDOLPH

LS, Nj.

1. For the Nov. 14, 1785, Virginia resolution leading to the Annapolis Convention refer to Boyd, *Papers of Thomas Jefferson*, 9:203–4.

2. The stated intent of the Virginia resolution, authored chiefly by James Madison, was to establish uniform trade regulations “as the only effectual policy for obtaining in the parts of foreign nations a stipulation of privileges reciprocal to those enjoyed by the subjects of such nations in the parts of the United States. . . .” The actual intent was to strengthen the powers of the federal government.

### From Patrick Henry

Richmond, February 23d. 1786.

Sir

The General Assembly have appointed Edmund Randolph, James Madison, junior, Walter Jones, St. George Tucker, Meriwether Smith, David Ross, William Ronald and George Mason esquires Commissioners to meet others from the different States in the Union, at a time and place to be agreed on for the purpose of framing such regulations of Trade as may be judged necessary to promote the general interest.<sup>1</sup>

I have to request your Excellency's attention to this Subject, & that you will be pleased to make such communications of it as may be necessary to forward the Views of this Legislature. I am with great regard your Excellency's obedient Servant

AL, Nj.

1. The Annapolis Convention was to meet in September 1786.

To Samuel Osgood and Arthur Lee

Trenton 2d. March 1786.

Gentlemen,

Agreeably to your request<sup>1</sup> I transmit you an authenticated Copy of the Resolution of our Assembly touching the Requisition of Congress of the 27th September 1785.<sup>2</sup>

Your Express was unavoidably detained here till the Evening of this day, on account of my not being able to find the Clerk of the Assembly<sup>3</sup> last Night; and his being so occupied with the Business of the House this day, that I could not sooner procure a copy of the Resolution. I have the honor to be Gentlemen Your most Humble & Obedient Servant

WIL: LIVINGSTON

Lcy, DNA:PCC, 140.

1. Refer to Samuel Osgood and Arthur Lee to WL, Feb. 28, 1786 (MH*i*).
2. Congress on Sept. 27, 1785, passed a resolution requesting the states to contribute \$3 million to defer expenses, with New Jersey's share at \$166,716. On Feb. 20, 1786, the New Jersey Assembly, in accordance with its 1783 act, voted not to honor the congressional requisition of September 1785. (See James Mott to WL, Nov. 17, 1784, and Charles Thomson to WL, Aug. 24, 1785, n. 8; refer to *Acts*, [Oct. 26–Dec. 24, 1784], 171–74 *General Assembly* [Oct. 25–Nov. 29, 1785], 10, 12, 28–29, and [Feb. 15–Mar. 24, 1786], 12–13, *JCC*, 29:765–71.)
3. Maskell Ewing, Jr.

To Susannah French Livingston

Trenton, 4th March, 1786.

My Dear, Dear Susan,

Considering that for near a fortnight after I arrived here, I was so indisposed, as scarcely to be able to hold a pen in my hand, and that notwithstanding my indisposition, I wrote you two letters<sup>1</sup> before I received yours of the 27th February,<sup>2</sup> which came to my hands this day, and that during all that time I was every day anxious in inquiring after your health from everybody that came from our part of the country,

you have greatly distressed me by ascribing my silence to my want of affection for you.

P. S. If I was to live to the age of Methusalem, I believe I should not forget a certain flower that I once saw in a certain garden; and however that flower may have since faded, towards the evening of that day, I shall always remember how it bloomed in the morning; nor shall I ever love it the less for that decay which the most beautiful and fragrant flowers are subject to in the course of nature. I repeat it in this postscript, that I love you most affectionately, and when I return I will by my attentions and assiduities give you the greatest demonstrations possible of the sincerity of this my declaration. After this, I hope you will not so far forget your friend and lover, as not to acquaint him as often as you conveniently can of the state of your health, which I still hope and pray may be perfectly restored.

Sedgwick, *Livingston*, 390–91.

1. See WL to Susannah French Livingston, Feb. 19, 1786. Other letter not found.
2. Letter not found.

From Charles Pinckney, Nathaniel Gorham,  
and William Grayson

Trenton, March 12 [11], 1786

Sir

Having received instructions from the United States in Congress assembled to proceed to this place for the purpose of remonstrating to the assembly on their act of the 20th: ultimo respecting the requisition of September last,<sup>1</sup> we shall be much obliged to your Excellency to inform that honourable body of our arrival and that we wish to have an audience of them on monday morning. We have the honour to be Your Excellency's most obedient Servants

CHARLES PINCKNEY  
NATHANIEL GORHAM  
WILLM GRAYSON

ALS, MHi.

1. For previous correspondence regarding New Jersey's 1783 decision not to comply with congressional requisitions for funds see WL to Samuel Osgood and Arthur Lee, Mar. 2, 1786. On Mar. 13, 1786, Pinckney, Gorham and Grayson urged the New Jersey Assembly to rescind their 1783 resolution. The assembly capitulated but never complied with the September 1785 congressional requisition. Aware that New Jersey's refusal to pay its share of the requisition sprang from the state's conviction that Congress could not compel other states to meet their obligations, the congressional representatives then recommended that New Jersey call for a meeting of all the states to amend the Articles of Confederation. On Mar. 21, 1786, the legislature agreed to appoint commissioners to attend such a meeting (Burnett, *Letters*, 8: 321–30; *General Assembly* [Feb. 15–Mar. 24, 1786], 55, 57, 65–66, 72, 74, 76; refer to Charles Pinckney et al to WL, Mar. 11, 1786 and Benjamin Van Cleve to WL, Mar. 11, 1786 [both MHi]; *JCC*, 31: 516, 658; see Edmund Randolph to WL, Feb. 19, 1786; refer to WL to the Assembly, Mar. 13, 1786 [Nj]).

### To Peter Augustus Jay

Elizabeth Town 29 March 1786

My dear Peter Jay

I have just now received your agreeable Letter,<sup>1</sup> & I think that in your present Situation respecting what you say concerning your Master, Papa & Mamma might easily spare you a few days without injury to your Studies to pay a visit to your grand parents, & if you come Grand mamma says that she will herself conduct you back again. Should you come I wish you would bring with you a few of the weeping willows out of Pappa's garden, which he has been so kind as to promise me.

I hope you won't attempt to ride the new horse across the bay between new York & Staten Island, as you might not have same good luck with Europa upon the bull.<sup>2</sup>

When you said *Cordereous*, you meant *Corderius*. Give my respects to Papa & Mamma. From your most affectionate Grand father

WIL: LIVINGSTON

ALS, NNC.

1. Letter not found.

2. Europa and the Bull: In Greek mythology, Europa, the daughter of Agenar, the king of Tyre, was so loved by the god Zeus that he turned himself into a bull, swam to the seashore where she was playing, and enticed her to climb upon his back. He then carried her across the sea to Crete where she bore him several children.

## From Peter Augustus Jay

New York April 7th. 1786.

Dear Grandpapa

I would have wrote to you before now, but papa expected to go to Elizabeth Town & take me with him last Saturday, the weather proving bad we were prevented. Papa still intends going tomorrow, but if it blows so hard as it does this morning, I am afraid we shall be disappointed again. Mama also intends paying Grandmama a visit as soon as the weather is settled. We have this day begun our house again.<sup>1</sup> Our Stable is quite finished, but the other night two of the Tiles were blown off the roof. Two or three nights ago one of the willows which papa has lately procured was stolen out of the garden, & the Cow has eat off the tops of those which he had before; but he says that next spring you may take your choice either to have the old ones which will sprout again from the roots, or some which he has lately set out.<sup>2</sup> Please to give my love to Grandmama & thank her kindly for the Letter<sup>3</sup> she was so obliging as to send me. The same reasons that has prevented my writing to you has prevented my acknoleging her favor. I am your most Dutiful & affectionate Grandson

PETER AUGUSTUS JAY

ALS, MHi.

1. John Jay began building at No. 8 Broadway, New York City, in 1784. The square three-story house of hewn stone was located just below Exchange Place.

2. For WL's request for weeping willows see WL to Peter Augustus Jay, Mar. 29, 1786.

3. Letter not found.

## To John Jay

Elizabeth Town 1 May 1786

Dear Sir

As Liberty Hall furnishes you at present with an additional magnet<sup>1</sup> to whatever attractions to usually have to pay us a visit on saturday; I hope you will sacrifice an additional day, & make your next visit if busi-

ness permits, on Fryday. Should it be convenient to you, pray bring me some lobsters, & fish of any sort, but if possible & at any price, a Salmon.

My Servant Henry<sup>2</sup> has thought fit after stealing my eggs & oats for three months past to prepare himself for the Jaunt, to go this morning *a maying*.<sup>3</sup> I mean that he is run away, & has left me utterly destitute of servants. The Servant has absconded at the most critical time of the whole year; & it was I suppose that very consideration, that together with the Devil, instigated him to go because now is the beginning of work. If it be possible my dear Sir to procure me a Servant, or a man by the year at £20 or £25 who understands farming work, or a Labourer for a month or two at almost any wages, I should be greatly obliged to you to bring him with you on any terms that you think proper to contract upon. I am

AL, NNC.

1. Jay's children were visiting Liberty Hall. See Peter Augustus Jay to WL, Apr. 7, 1786.

2. For the most recent mention of Henry see WL to Susannah French Livingston, Feb. 19, 1786.

3. *a maying*: the festivities to celebrate May Day.

## To Benjamin Van Cleve

Elizabethtown, 5th May, 1786.

Dear Sir,

For my part I shall attend your notification (for the meeting of the Legislature)<sup>1</sup> with pleasure, and I hope we shall all be impartially inclined to do whatever appears to us most advantageous to the public interest; for abstracted from that, or in opposition to it, I would see all such popularity as must be acquired at the horrid expense of sacrificing one's conscience, and the national honour, and the public faith, and our federal obligations, and the ultimate and real interest of this State to the devil.

But if we should prove to be so publicly virtuous as first to comply with the requisitions of Congress,<sup>2</sup> as far as with our utmost exertions we are able, and then emit such a sum of paper currency as would not prove inconsistent with that compliance, and upon such a fund for its

redemption as afforded a reasonable prospect of its maintaining its credit, and not enable every knave to defraud his neighbour; I think the petitioners for paper money ought to be gratified, and that such a measure would really relieve many honest people in distress, who ought undoubtedly to be relieved, as far as can be effected without injury to the commonwealth.<sup>3</sup> I am, etc.

WL: LIVINGSTON

Sedgwick, *Livingston*, 397–98.

1. Refer to Benjamin Van Cleve to WL, Apr. 27, 1786 (MHi).

2. For the congressional requisitions, see John Beatty to WL, Apr. 13, 1785 and WL to Samuel Osgood and Arthur Lee, Mar. 2, 1786.

3. For background on the bill for paper currency see “Primitive Whig,” No. VI, [Feb. 13, 1786], n. 4.

## To the Assembly

*Trenton, May 19, 1786.* WL lays before the House congressional papers dealing with Indian treaties<sup>1</sup> and accounts between the states,<sup>2</sup> as well as resolutions from Massachusetts and Pennsylvania appointing delegates to the Annapolis Convention.<sup>3</sup>

*General Assembly* (May 17–June 2, 1786), 6; *N.J. Gazette*, June 26, 1786.

1. In January 1786, Congress reported a number of recent peace treaties with various Indian tribes living in the southern and middle states: the Cherokees (Nov. 28, 1785); the Choctaws (Jan. 3, 1786); the Chickasaws (Jan. 10, 1786); and the Shawnees (Jan. 31, 1786). These tribes agreed to return all prisoners and to recognize the sovereignty of the United States. In turn, the government ceded hunting lands to the tribes and denied protection to any whites who settled on these lands (*JCC*, 30:185–95).

2. On Feb. 25, 1786, Benjamin Thomson, commissioner to settle accounts between New Jersey and the federal government, wrote WL to express his desire that his term be extended. WL enclosed this request in a Mar. 7, 1786, letter to Congress. Congress referred these requests to the Board of Treasury, which wrote Livingston on Mar. 22, 1786, concerning a similar request by New York officials regarding its commissioner William Barber. The board apparently rejected both requests (*JCC*, 30:96n; *General Assembly* [Feb. 15–Mar. 24, 1786], 37; refer to Samuel Osgood, Walter Livingston, and Arthur Lee to WL, Mar. 22, 1786 [NjMoHP]). For previous reference to the settling of federal/state accounts, see Benjamin Thomson to WL, Oct. 22, 1785.

3. For previous reference to the Convention see Patrick Henry to WL, Feb. 23, 1786.

“Hortentius”<sup>1</sup>

[June 12, 1786]

Read and revere the sacred page, a page  
 Where triumphs immortality: a page  
 Which not the whole creation could produce,  
 Which not the conflagration shall destroy;  
 ‘Tis printed in the minds of Gods forever;  
 In nature’s ruins not one letter lost.

DR. YOUNG’S Night Thoughts.<sup>2</sup>

Did you ever see a man, courteous reader, arrogating to himself the title of philosopher and of a profound thinker, who could not even give a definition of philosophy, nor ever had a serious thought in his life? A man who, with little wit, and much self-conceit, was constantly retailing scraps and shreds from Toland and Tindal,<sup>3</sup> glorying in the wretched sophistry of those superficial reasoners against the authenticity of the sacred scriptures, but who had never so much as looked into Leland,<sup>4</sup> a celebrated and philosophical divine, who had solidly confuted them both?

Have you ever seen a man who ridiculed all faith and all mystery, and expected to obtain eternal felicity by practicing the morality dictated by the light of nature, acknowledging at the same time his belief of the greatest absurdities in the world; and practising no more morality than a horse? A man pretending to the acutest penetration and judgment; and yet not knowing how to doubt where he ought; to rest assured where he ought; and to submit where he ought?

Did you ever see a man who insisted that the bare light of nature was sufficient (and revelation consequently unnecessary) to conduct us at present in the path of duty and to everlasting happiness hereafter; and in the same breath confessing, that, notwithstanding this light, (luminous and brilliant as he made it) a very great part of the world that has no other guide, is this moment involved in pagan superstition, and the grossest idolatry?

Did you ever see a man who denied the miracles wrought by Jesus Christ, though approved by a cloud of witnesses who sealed their testi-

mony with their blood; and yet affecting to believe the fabulous wonders of Apolonius of Tyana, upon the credit of Philostratus, who has written a silly romance about that astrologer,<sup>5</sup> which was never believed by any, save by those who believe every thing but what is true?

Did you ever see a man who resolved all the moral attributes of the Deity into that of Mercy; and this Mercy into connivance at sin and the virtual abolition of all his laws?

Did you ever see a man who flattered himself that the precepts, the morality and the history of our holy religion; the wonderful and unparalleled life and death of its author; the wisdom and sanctity of its injunctions; the authority and sublimity of the sacred writings; the testimony of ocular witnesses; the blood of so many martyrs; the accomplishment of so many prophecies; the attestation of so many miracles; the tradition of so many ages; the conversion of so great a part of the world to a religion renouncing the world, and propagated not only *without*, but *against*, external force; the perpetuity of the faith through a perpetuity of the most bloody persecutions; the impregnable foundation of the church; and all the other proofs in support of christianity, are answered and confuted, or rather totally annihilated by the unphilosophical philosophy of a Bollinbroke,<sup>6</sup> or the wretched pun or thread-bare jest of a Voltaire, or a Rousseau?

Did you ever see a man who had the assurance to tell you, that our belief in the divine origin of the scriptures is wholly to be ascribed to the force of education, and the early infusions of the priest and the nurse; but that all men of unfettered uninfluenced sentiments, all philosophers and reasoners, have ever esteemed revelation as imposture; and this man at the same time confessing that sir Isaac Newton, and Mr. Lock, and Lord Bacon, and sir Robert Boile,<sup>7</sup> and Grotius,<sup>8</sup> and Boerhaave,<sup>9</sup> and Littleton,<sup>10</sup> and West,<sup>11</sup> and Pascal,<sup>12</sup> and Penn, and Barclay,<sup>13</sup> and Phipps,<sup>14</sup> were all christians, after the most impartial scrutiny, and the most assiduous investigation of the evidences by which revelation is supported?

Did you ever see a man who denied the possibility of miracles, and yet demanding a constant series and uninterrupted succession of them, to prove a divine mission?

Have you ever seen a man who reproached religion with all the horrors of persecution, and the fanaticism of the most sanguinary zealots, and at the same time acknowledging that these excesses were the evi-

dent abuses of christianity; and directly repugnant to the peaceable spirit of the gospel, and the notorious inhibitions of its illustrious founder?

Did you ever see a man unable by the light of reason to reconcile the blemishes in the natural, and the disorders in the moral world, with the idea of an all-wise and all-good governor of the universe—some regions for instance, almost deprived of the heat of the sun; others scorched by its insupportable splendor; winds, tempests and earthquakes, volcanoes and inundations threatening universal destruction; the ocean overflowing the greatest part of the globe; and an immense quantity of its *terra firma* covered with rocks and mountains and deserts of sand, incapable of cultivation; nor apparently formed for the sustenance of man or beast—and this same man able, by revelation, to reconcile all this; and yet scorning by revelation to do it?

Respecting the moral world—have you ever seen a man unable to account, by the light of reason, how a Being infinitely good and infinitely powerful, should permit sin (which from the purity of his nature he must abhor, and by his omnipotence can certainly prevent) not only to enter into the world, but to be more prevalent in it than virtue—Why he should suffer injustice and tyranny to reign uncontrouled; oppression and violence to be successful and triumph over prostrate virtue and innocence; humility to be confounded; and piety to wander in penury and rags—and able, by revelation, to account for all this, and yet scorning by revelation to solve those, otherwise inexplicable, difficulties!

Did you ever see a man, who unable by the light of reason to account for the composition of his own species, as at the same time *material* and *thinking* beings, while it is confessedly of the essence of matter to be incompatible with thought, equally unable to account for the double nature in man—his general propensity to vice, and his insuperable veneration for virtue—his *video meliora, proboque*, and his *deteriora sequor*<sup>15</sup>—his unconquerable moral depravity, and the remaining splendid fragments of his primaeval lustre; and able by revelation to account for all this; and yet scorning by revelation to do it?

Have you ever seen a man, who, unable to prove, by the light of reason, the immortality of the soul; or that, from the intimate union between the operations of the soul and those of the body, the latter ceasing, the former will not terminate;—and able, by revelation, which

*bath brought immortality to light*, to prove his eternal duration; and yet scorning by revelation to prove it?

Did you ever see a man who, unable by the light of reason to account for his own hopes of immortal happiness, from the absolute impossibility of reconciling, by the help of that light, the immutable justice of the Supreme Legislator, with the impunity of the transgressors of his laws (for as to the idea of the attribute of mercy, it is indubitably borrowed from revelation; and in the hands of those miserable reasoners, most miserably perverted) and who by revelation, could account for it; and yet scorning thus to solve this, otherwise inscrutable, enigma?

Have you ever seen such a man sir? Why then you have seen a—blockhead.

*Let all the beathen writers join  
To form one perfect book,  
Great GOD, if once compar'd with thine,  
How mean their writing look?  
Not the most perfect rules they gave  
Could shew one sin forgiv'n;  
Nor lead a step beyond the grave,  
But thine conduct to heaven.*

DR. WATTS'S<sup>16</sup> Version of the psalms.

HORTENTIUS.

*N.J. Gazette*, June 12, 1786; *American Museum*, Nov. 1788.

1. For the last reference to Hortentius see Henry Brockholst Livingston to WL, Dec. 1, 1781, n. 11, 4:339–41.

2. Edward Young, *Night Thoughts on Life, Death and Immortality*, Night VII, “The Infidel Reclaimed,” part 2, ll. 1359–64. In most versions the last two lines are reversed, but the 1762 edition of Young’s collected works conforms to WL’s citation.

3. The English deists John Toland and Matthew Tindal.

4. The Irish historian Thomas Leland.

5. Apollonius of Tyana was a teacher and philosopher of the first century A.D. who supposedly possessed mystical powers. *The Life of Apollonius of Tyana* by Flavius Philostratus, the only thorough account of his life, is considered unreliable by historians.

6. Henry St. John, first viscount Bolingbroke, Tory critic of Robert Walpole and author of the 1738 *Patriot King*.

7. Boyle was a natural philosopher and chemist.

8. Hugo Grotius was the Dutch author of *Mare Liberium*.

9. Herman Boerhaave, Dutch physician and professor of medicine and chemistry at Leiden.

10. Sir Edward Littleton, author of the 1628 *Petition of Right*.

11. Probably the author Gilbert West.
12. French mathematician and philosopher Blaise Pascal.
13. Philosopher George Berkeley, bishop of Cloyne.
14. WL may be referring to Sir Constantine Phipps, lord chancellor of Ireland, who defended Henry Sacheverell and Francis Atterbury in 1710 and 1723 respectively. He might also mean Sir William Phipps, seventeenth-century governor of Massachusetts Bay Colony.
15. *video meliora, proboque, deteriora sequor*: I see better [finer] things, [but] I approve and follow after the worse.
16. Minister and hymn writer Isaac Watts.

## To John Jay

Elizabeth Town 15th June 1786

Sir

I have been honoured with your Letter of the 3rd of May,<sup>1</sup> informing me that Congress has been pleased to order that you should report particularly & specially how “far the several States have complied with the Proclamation of Congress of the 14th January 1784, & the Recommendation accompanying the same, pursuant to the definitive treaty of peace between the United States of America & Great Britain;”<sup>2</sup>—and requesting me to inform you “whether & how far the State of New Jersey has complied with the Recommendation in question.”—In answer to which I can only inform you in general, that I do not know of a single instance in which this state has not strictly complied with the said Proclamation; as well as with the said Recommendation, as far as by the said Treaty, the United States were bound to comply with such Recommendation. I have the honour to be Sir your most humble & most obedient Servent

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. Letter not found.
2. On Jan. 14, 1784, Congress formally approved the definitive peace treaty. It also recommended that the states restore the property of “British subjects” and those behind British lines after Nov. 30, 1782; that they allow Loyalists to travel freely and “to remain twelve months unmolested” to reclaim their property; and that the states generally adhere to the treaty articles concerning the restoration of Loyalist property (*JCC*, 26:22–31). For previous mention of the definitive treaty see Samuel Hardy to WL, Aug. 2, 1784.

## To the New York Manumission Society

Elizabethtown, 26th June, 1786.

SIR,

The institution of the society in New-York for promoting the emancipation of slaves,<sup>1</sup> etc. never came to my knowledge till this day, when I was honoured with the present of a pamphlet, containing a dialogue concerning the slavery of the Africans, and the rules of the said society. By a rule of the quarterly meeting of the said society on the 10th of November, 1785, I find that any person desiring to be admitted a member shall apply to the standing committee, etc. If by *any person* it is intended to comprehend gentlemen of other states, as well as the citizens of New-York (as from the liberality of sentiment of a society that originates so glorious a design as that of promoting the emancipation of any part of the human race, I would fondly hope it is), I would most ardently wish to become a member of it;<sup>2</sup> and provided I can succeed in this my wish, according to the rules of the society respecting their mode of election, I can safely promise them that neither my tongue, nor my pen, nor purse shall be wanting to promote the abolition of what to me appears so inconsistent with humanity and Christianity, and so inevitably perpetuating of an indelible blot, with all the nations of Europe, upon the character of those who have so strongly asserted the unalienable rights of mankind, and whose conflict in the defence of those rights it has pleased Providence to crown with such signal (and to all human appearance unexpected) triumphant success. May the great and the equal Father of the human race, who has expressly declared his abhorrence of oppression, and that he is no respecter of persons, succeed a design so laudably calculated to *undo the heavy burdens, to let the oppressed go free, and to break every yoke.*<sup>3</sup> I am, etc.

WIL: LIVINGSTON

Sedgwick, *Livingston*, 399–400.

1. The New York Society for Promoting the Manumission of Slaves, and Protecting Such of Them as Have Been, or may Be, Liberated, was created Jan. 25, 1785, with John Jay as its first chairman.

2. The 1796 revised version of the society's constitution listed no residency require-

ments. Members were expected, however, to attend meetings scheduled at least six times per year (*Evans* #30885, 1–15). New Jersey had already taken steps to manumit slaves. On Mar. 2, 1786, the legislature passed “An Act to prevent the Importation of Slaves into the State of New-Jersey, and to authorize the Manumission of them under certain restrictions, and to prevent the Abuse of Slaves.” Owners were permitted to free slaves by submitting to the legislature witnessed documents. Slaves to be freed had to be between the ages of 21 and 35 (*Acts* [Feb. 15–Mar 24, 1786], 239–42).

3. Isaiah 58:6.

### From Nicholas Van Dyke

State of Delaware New Castle, July 12, 1786

Sir

Certain Communications from the States of Massachusetts, Pennsylvania, Maryland, and Virginia, proposing a convention of Commissioners from the several States in the Union for the Purpose of considering the Trade of The United States, and forming a System of Commercial Regulations necessary to their common Interest and permanent Harmony, having been laid before the Legislature of this State, I have now the Honor of informing your Excellency of their Concurrence with those States in so laudable and useful a Measure, and of inclosing you a Copy of their Resolution on that Subject.<sup>1</sup> With the greatest Respect, I have the [honor] to be Your Excellency’s most obedient humble Servant

NICHOLAS VAN DYKE

LS, MHi.

1. Enclosure not found. For New Jersey’s election of delegates to the Annapolis Convention see WL to the Assembly, May 19, 1786.

### From Charles Thomson

Office of Secretary of Congress

Aug. 12. 1786

Sir,

I have the honor of transmitting to your Excellency herewith enclosed sundry Acts lately passed by the United States in Congress assembled.

1. A Requisition for the year 1786. This you will receive from the board of treasury who have it in charge to prepare a letter to accompany it, but as it has been published in the Newspapers I have judged not improper to transmit to your Excellency an authenticated copy.<sup>1</sup>

2. An Ordinance for the regulation of Indian Affairs.<sup>2</sup>

3. An Act fixing the standard of Gold & Silver; the weight & value of the Money Unit; the Money [Account] of the United States, & the different species of coins.<sup>3</sup>

4. An Act again presenting to the view of North Carolina, South Carolina & Georgia the recommendation of the 6 September 1780.<sup>4</sup> &

5. An Order for transmitting to the several States lists of the numbers names and Owners, of the negroes belonging to the citizens of each State & carried away by the British.<sup>5</sup> With the greatest respect I have the honor to be your Excellency's most Obedient & most humble Servant

CT

ADf, DNA:PCC 18, B.

1. On Aug. 2, 1786, Congress passed a requisition for \$3,777,062 to cover expenses for 1786. A quota was established for each state, with payment due by Jan. 1, 1787. New Jersey's quota was \$209,898 (*JCC*, 31:461-66; *Pa. Packet*, Aug. 7, 1786).

2. On August 7 Congress approved an ordinance establishing northern and southern Indian departments, with the Ohio River as the dividing line. Congress directed that a superintendent, answerable to the secretary of war, be appointed to each department. The superintendents would regulate trade with the Indians and warn state executives of impending tensions (*JCC*, 31:488-93).

3. Congress, on August 8, established an official standard for gold and silver of "eleven parts fine and one part alloy." Congress also established a system of gold, silver, and copper coinage, and fixed the mint price of uncoined gold and silver (*JCC*, 31:503-4).

4. On Sept. 6, 1780, Congress requested that all states abandon their claims to western territories (*JCC*, 17:806-7). On Aug. 9, 1786, Congress acknowledged the compliance of Massachusetts, Connecticut, New York, and Virginia with this directive, and requested that North Carolina, South Carolina, and Georgia also comply (*JCC*, 31:507).

5. On Aug. 9, 1786, Congress instructed John Jay, secretary for foreign affairs, to compile a list of slaves carried away by the British, in violation of the treaty of 1783 (*JCC*, 31:508).

From James Ewing

Trenton Sept. 18. 1786

Sir

Inclosed you have a State of the Case of Esther Coates,<sup>1</sup> a Pauper, who in the Opinion of the Magistrates in this place belongs to Philadelphia.

It seems to be a matter which has not yet come to any decision how far the Sister States are bound to receive Paupers from each other since the Revolution; we know of a number of instances in which we have received Paupers sent to us from Pennsylvania and New York without hesitation. I think I am informed there has been one instance in which an order from this State to Pennsylvania has been appealed from and tried, this is right, but we look upon it unreasonable that they should refuse or neglect to receive from us in the same situation, this of Esther I am informed is the second instance in which they have refused or neglected a regular order of removal. On Esther's last return I was requested to apply to the Chief Justice<sup>2</sup> which I did, who informed that he should be in Philadelphia in a short time and would confer with the Judges of that State on the Subject, he since informs me that when in Philadelphia the Judges were absent in the Circuits, he therefore had no opportunity of any Conversation with them, but advised me to draw up a State of the Case and transmit it to your Excellency from whom an application to the Executive of that State would come in a regular Channel, and probably be attended with good effects.

The lone expence of one Pauper, tho considerable to us, she being I believe now kept at 15s the Week which may last for years in her situation, would not be an object worthy of your Excellency's attention, or sufficient to authorize an application to another State, but it is the principle we combat, we ought certainly to know whether they will or will not receive Paupers when regularly sent from us, and to square our conduct accordingly, if they are not to receive them it is useless for us to send them, and we ought not to receive from them in like circumstances, if they are to receive them and do not, we ought to know how to seek our Remedy. I have the honor to be your Excellency's most obedient humble Servant

JAS. EWING

P.S. I am just informed the Convention at Annapolis have adjourned till May next,<sup>3</sup> but have not learned any thing further.

ALS, MHi.

1. Enclosure not found. Prior to 1798, when Pennsylvania established the county system for poor relief, the indigent were the wards of local government, usually the township. New York did not enact a comprehensive poor law until 1788, again based on the local government unit. New Jersey continued to use the 1702 Instructions from Queen

Anne as the basis for its poor relief, which also rested on the local government unit. Local residency was usually a requirement for assistance.

2. David Brearley.

3. Only the five states of Virginia, Pennsylvania, Delaware, New York, and New Jersey sent delegates to the Annapolis Convention, which convened Sept. 11, 1786. With eight states unrepresented, attending delegates believed any measures they passed would be ignored by Congress. They instead called for a second convention to convene at Philadelphia in May 1787. For the convention report refer to Syrett, *Hamilton Papers*, 3:686–90. For previous mention of the Annapolis Convention see WL to the Assembly, May 19, 1786, and Nicholas Van Dyke to WL, July 12, 1786.

## To Baron von Steuben

[Elizabeth Town 25th September 1786]

Sir

Tho' transmitted by the Post, I did not receive your Letter of the 15th instant<sup>1</sup> till last evening, or you may be assured that I should not this long have procrastinated my acknowledgment of the receipt of it.

I will begin by answering the last sentence of it, first; and that is by begging you never to make any apologies in future for what you call *troubling me*, on a subject in which it is in my power to serve you. All such offices Sir, instead of considering them in the light of troubles, I pray you to be persuaded that I shall rank among the peculiar felicities of my life. But as to the particular mode of procuring you justice in the matter in question; or respecting the regularity or irregularity with which the affair you mention has been conducted, I must really acknowledge myself as ignorant of it, as you profess to be. The perpetual variations of the manner of paying, or rather *not* paying our public Creditors, have been so multiplied by our different Legislatures, that I never pretended to be master of so complicated a System. But of this I am absolutely certain that if I can be any way instrumental in procuring you justice I shall most cordially exert every effort in my power to effect what would give me so singular a pleasure. For this purpose (as all those affairs are under the direction of the Legislature, without the least participation of the Executive) I cannot think of a more effectual way of serving you on the present occasion than by communicating the substance of your Letter in a kind of private, not official, way, to our Council at the next meeting of the Legislature, in October,<sup>2</sup> in case I should happen to be re-elected; & to request their opinion on the most practicable mode of giving you relief.

I think it impossible that you should finally suffer; tho' I cannot take upon me to determine what measure the Legislature may adopt to see you satisfied.<sup>3</sup> I have the honour to be with great Esteem Sir your most humble & most obedient Servant

WIL: LIVINGSTON

ALS, MHi.

1. Letter not found.
2. The issue was never submitted formally to the council (*Legislative Council* [Oct. 24–Nov. 24, 1786]).
3. For the most recent correspondence between WL and Steuben see WL's letter of Apr. 22, 1785.

### To the Assembly

*October 25, 1786.* WL transmits to the house several congressional papers, including resolutions to raise funds,<sup>1</sup> an ordinance to settle the accounts between the federal government and the states,<sup>2</sup> a treaty of amity and commerce with Prussia,<sup>3</sup> and other papers pertaining to the domestic and foreign debt.<sup>4</sup> He also transmits documents dealing with representation,<sup>5</sup> and a Massachusetts act concerning trade.<sup>6</sup>

ADf, MHi.

1. For background on the congressional requisition see Charles Thomson to WL, Aug. 12, 1786 and n. 1. In response to the congressional requisition, the legislature passed an excise bill on June 4, 1787, that levied duties on foreign goods, including wine and hard liquor, coffee, clothing, and rum distilled in other states (*Acts* [May 24–June 7, 1787], 406–9; *General Assembly* [Oct. 24–Nov. 24, 1786], 30, 32, 62; [May 16–June 7, 1787] 15–16, 27–28). On Nov. 2, 1787, the legislature, citing the imminent ratification of the Constitution, repealed the excise bill (*Acts* [Oct. 30–Nov. 6, 1787], 441–42).
2. On Oct. 13, 1786, Congress created a three-member board to settle accounts between the states and the federal government. This board replaced the commissioners appointed pursuant to the resolution of Feb. 20, 1782 (*JCC*, 31:777–81). For previous reference to commissioners see WL to the Assembly, May 19, 1786, n.2.
3. On Sept. 10, 1785, Baron Frederick William de Thulemeier of Prussia and John Adams, Benjamin Franklin, and Thomas Jefferson of the United States signed a treaty establishing a “firm and sincere friendship” between the two nations. Each side bestowed most favored nation status upon the other, and extended trade privileges and freedom of worship to nationals of the other. Congress ratified the treaty on May 17, 1786 (*JCC*, 30:268–85). For previous mention of this treaty see Thomas Mifflin to WL, Apr. 21, 1784, n. 2.
4. A congressional resolution of Sept. 18, 1786, prohibited the use by states of paper currency for payments towards interest on the foreign and domestic debt. This action

was prompted in part by a New Jersey decision to make its paper receivable toward taxes requisitioned through a congressional resolution of Apr. 27–28, 1784 (*JCC*, 26:297ff; 31:658, 663).

5. On July 13, 1786, Congress resolved that all states had a responsibility to maintain an adequate delegation in Congress, but defeated a motion to prohibit delegates from withdrawing without the permission of Congress or their state (*JCC*, 30:408–9). For previous discussion of congressional representation see Charles Thomson to WL, Feb. 1, 1786.

6. On July 5, 1786, Massachusetts suspended a 1785 act restricting imports until the other states passed similar laws (Commonwealth of Massachusetts, *Acts and Laws* [May 31–July 8, 1786], 459). For background on the Massachusetts law, see James Bowdoin to WL, Dec. 7, 1785.

## To the Joint-Meeting

Trenton, 1st November, 1786.

Gentlemen,

It is with most grateful Sentiments that I acknowledge the Honour you have done me by your Choice of a Governor for the ensuing Year, and with the firmest Purpose of rendering the State, in that distinguished Office, the best Services in my Power, that I accept the Appointment.<sup>1</sup>

WIL: LIVINGSTON

*Joint Meeting* (Oct. 31–Nov. 23, 1786), 33–34.

1. On Oct. 31, 1786, a joint meeting of the assembly and council reelected WL by a 38–8 margin over Abraham Clark (*Legislative Council* [Oct. 24–Nov. 24, 1786], 7, 33–34).

## To Lambert Cadwalader, Abraham Clark, and James Scheureman

November 7, 1786

The State of New Jersey

To the honorable Lambert Cadwallader, Abraham Clark and James Schureman Esquires Greeting.

The Council and Assembly, reposing special trust and Confidence in your Integrity, prudence and Ability, have at a Joint meeting, appointed you the said Lambert Cadwallader, Abraham Clark, and James Scheurman, or any two of you to represent and Vote in behalf of this State in the Congress of the United States of North America from this day until

the first monday in November One thousand seven hundred and eighty seven unless a new appointment shall sooner take place.

In Testimony whereof the Great Seal of the State is hereunto afixed 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 at Trenton the seventh day of November in the year of our Lord One thousand seven hundred and eighty six and of our Sovereignty and Independence the Eleventh.

WIL: LIVINGSTON  
BOWES REED

D, DNA:PCC, 179, I.

1. On November 7, a joint meeting of the assembly and council elected Abraham Clark, Lambert Cadwallader, and James Scheureman representatives to Congress (*Legislative Council* [Oct. 24–Nov.24, 1786], 34).

### From Susannah French Livingston

Elizabeth town, November 18, 1786

I am asham'd to think of my writing to my Dear friend but once since our seperation,<sup>1</sup> which however has only been in person, not in heart & spirit, which brings you present every day. If I did not write you in a month I Love you as much as you love me. I could make many excuses for my seeming neglect, but it would fill my letters with apologies which to you would appear triefling, let it suffice to confess fault with a promise of amendment. I have nine letters from you,<sup>2</sup> I dont answer them avery one in particualar. The business you have directed to be done has been attended to and many other things done that was necessary & should be atened to before the winter sets in. From reports I expect'd you home before this time, at my request Susan is gone to New York to purchase som stores for the winter. Among them is the salt fish zouns & longus. She writes that there was a vesel come in from Halefax, & that Mr. Garret Van Horne has promist to go on board & buy a keg if there were any. If a wedding should take place in our family,<sup>3</sup> in the course of the winter we shall want a great many things for which purpose I have given Susan £26—with her as our money will

pass in New York at present. I sops<sup>e</sup> Mr. Boudinots<sup>4</sup> mistake arose from my telling him I would send a letter by him, as I had writen to you but once. I shall leave what I have to say concerning our Daughter, & the change that is expected to take place, as to her, till Providence permit us to meet again. My love is with you in sincerety & truth.

S. LIVINGSTON

ALS, MHi.

1. WL had been in Trenton since the end of October attending the sitting of the legislature. Letter not found, but see WL to Susannah French Livingston, Mar. 4, 1786.
2. Letters not found.
3. Catharine Livingston's impending wedding to Matthew Ridley.
4. Elias Boudinot.

### Appointment of David Brearley, William Churchill Houston, William Patterson, and John Neilson

November 23, 1786

The State of New Jersey

To the Honorable David Brearly, William Churchill Houston, William Patterson and John Neilson Esquires. Greeting.

The Council and Assembly reposing especial trust and confidence in your integrity, prudence and ability, have at a joint meeting appointed you the said David Brearley, William Churchill Houston, William Patterson and John Neilson Esquires, or any three of you, Commissioners to meet such Commissioners, as have been or may be appointed by the other States in the Union, at the City of Philadelphia in the Commonwealth of Pensylvania, on the second Monday in May next, for the purpose of taking into Conesideration the State of the Union as to trade and other important objects, and of devising such other Provisions as shall appear to be necessary to render the Constitution of the federal Government adequate to the exigencies thereof.<sup>1</sup>

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 at Trenton the Twenty third day of November in the Year of our

Lord one thousand seven hundred and Eighty six and of our Sovereignty and Independence the Eleventh.

WIL: LIVINGSTON

BOWES REED

DS, DNA:M, 866.

1. For previous mention of the calling of the Philadelphia Constitutional Convention see James Ewing to WL, Sept. 18, 1786.

### From Edmund Randolph

Richmond December 6, 1786.

Sir

My anxiety for the well being of the federal Government will not suffer me to risque so important a consideration upon the safety of a single letter. Your Excellency will therefore excuse me for again intruding on you with the inclosed Act of our Legislature, and repeating the request urged in my letter of the 1st instant, that you would give a zealous attention to the present American Crisis.<sup>1</sup>

The Gentlemen appointed by Virginia for the Convention at Philadelphia, are General Washington, Mr. Patrick Henry, the late Governor, Mr. George Wythe & Mr. John Blair, two of the Judges of the high court of chancery, Mr. James Madison Jr. a member of Congress, Mr. George Mason, a member of the legislature and myself. I have the honor Sir, to be, with Sentiments of perfect respect, Your most obedient Servant

EDM: RANDOLPH

ALS, MHi.

1. On Nov. 3, 1786, the Virginia House of Delegates voted unanimously to appoint representatives to meet in Philadelphia in accordance with the recommendations of the Annapolis Convention (Boyd, *Papers of Thomas Jefferson*, 10:574-78).

From Charles Thomson

Office of Secretary of Congress

December 14th 1786

Sir

I am sorry to inform your Excellency that since the first monday in November last the States have not assembled in a sufficient number to proceed to business.<sup>1</sup> At present there are delegates attending from sundry States, but Pennsylvania, Virginia and South Carolina are the only States represented. This is the more unfortunate as among other matters of great importance which demand the immediate attention and deliberation of congress the disorders in Massachusetts seem to be hardening fast to a crisis.<sup>2</sup> The interests of the Confederacy certainly require a speedy and full representation in Congress. With the greatest Respect I have the honor to be Your Excellencys Most obedient and Humble Servant.

CHA THOMSON

LS, MHi.

1. Abraham Clark and James Scheureman had represented New Jersey in Congress during November 1786 (*JCC*, 31:930–31).

2. On Aug. 29, 1786, popular discontent in the agricultural districts of western Massachusetts over high taxes and a massive state debt erupted in what became known as Shays's Rebellion. Embittered farmers organized under revolutionary war veteran Daniel Shays to stop foreclosures of their lands by preventing the state's courts from sitting. Congress was especially concerned with the disposition of federal military stores at the Springfield arsenal. In January 1787 the insurgents attacked the arsenal, but were defeated by the state militia under Gen. Benjamin Lincoln. After a second defeat the following month, the insurgents dispersed and Shays fled to Vermont (*JCC*, 31:675–76, 698–700n, 710n, 739–40, 751–53, 886–88, 895–97; 32:38–39, 93–105, 110–11).

From Henry Brockholst Livingston

New York 19 December 1786

Dear Sir,

Your Favor of the 13th. Instant,<sup>1</sup> with a duplicate thereof was not received until this morning. It will be hazardous to trust to the Justice of

this State for discounting on their Quit Rents what may Still remain due from the Crown to the Representatives of your late Father as Secretary to Indian Affairs.<sup>2</sup> I will therefore with your Permission pay the Quits which will be due from you for the Lands you mention in the mode prescribed by our Act.<sup>3</sup> For this purpose it will be necessary to know the quantity of Acres you are devized or in the different Tracts you mention, that you may not suffer by the delinquencies of others, as each Proprietor may pay for his respective Proportion. The Mode of Payment is this. No Quit is enacted from Inhabitants of the United States that may have accrued between the 29th September 1775—& the 29th September 1783. The Remainder may be paid in public Securities worth from 3s to 5s in the Pound, provided it be done before the first day of January next—otherwise to be paid in Specie.

You are Right with respect to the Chancellors Father having purchased a certain quantity on Consideration of paying the whole Quit Rent for the Great Patent.<sup>4</sup>

I shall thro' our Governor<sup>5</sup> make application to Mr. Davies for a Solution of the Queries propounded by Doctor Morse.<sup>6</sup> With my love to Mamma & the Family I am your dutiful Son

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Letter not found.
2. Philip Livingston served in the highly profitable post of agent for Indian affairs from 1722 until 1749, when Adm. George Clinton, who served as royal governor of New York from 1741 to 1753, had him removed from office.
3. New York's Apr. 1, 1786, Act for the Collection and Commutation of Quit Rents, specified that any quit rents due should be paid to the state for the use of the people (*Laws of New York*, 23:24–27). WL may have wanted to deduct from the quit rents money due his father as secretary for Indian affairs.
4. The Great Patent lay between the forks of the Delaware River and spread eastward below the east branch of the river, covering present-day northwest Ulster County, and all of Delaware and Sullivan counties. Judge Robert R. Livingston, WL's uncle, was the major shareholder in the patent.
5. George Clinton, governor of the state of New York from 1777 to 1795.
6. Jedidiah Morse. For the letter introducing Morse to WL refer to Chauncey Wittlesley to WL, Nov. 9, 1786 (MHi).

To William Linn<sup>1</sup>

Elizabeth Town 1st January 1787

Dear Sir

I had some thoughts of gratifying myself with the pleasure of visiting my friends in New York, but not having the command of the floating cakes of Ice which are apt to Embrace one closer than such Embraces are agreeable, nor of the Mists & Fogs which elude the Boatman's Compass, I Must wait a more favourable Season. I remember a certain Clergyman in Boston who appearing greatly terrified in a Boat & being told that so good a man as he was, ought not to be afraid of dying, replied that he feared not Death nor doubted of his happiness after it, but that he did not choose to go to heaven by water. I am

LBC, MHi.

1. William Linn, pastor of the New York City Collegiate Dutch Reformed Church, was pastor of the Elizabethtown Presbyterian Church from 1784 to 1785.

## To Peter Augustus Jay

Elizabethtown, 18th January, 1787.

My dear —,

I have received your letter of the 3d of this month,<sup>1</sup> and very glad was I to receive it, because I began to suspect that my dear grandson had, among all the pleasures and amusements (and I hope the studies) of New-York, totally forgotten the old gentleman at Liberty Hall. But I am most disagreeably disappointed in those my surmises by that same epistle of yours.

I hope that by this time, you are recovered from that disagreeable disorder called the *rash*, with which you say you was troubled, and that you will never be *rash* yourself. Certain it is, that the ailment in your heels must keep you from the dancing-school, as I presume the true discipline of that seminary of hops and capers depends as much upon the use of the heels as it does upon that of the toes. *Turn out your toes, sir!*—that's what the dancing-master says much oftener than he does his

prayers. I am obliged to you for mentioning to me Mr. Hunt's<sup>2</sup> directions for catching fish in their beds of spawn. But at the same time I hope you do not believe that grandpapa wants any instructions from a West Chester man how to catch *fresh water* fish. Why, he understands it better than he does the affairs of government. Nor do I think that fish ought to be caught at all in their beds of spawn. There is a very humane prohibition in the law of Moses against taking the dam of birds while guarding her eggs or young ones;<sup>3</sup> and I think that the like tender-heartedness ought to be extended to the mother of the spawn of fishes; for as soon as ever she is caught, her spawn are devoured by those fish of prey which she is so industriously employed in chasing from the spot in which she has deposited it, and which she defends with perhaps as much maternal affection as that with which a human mother watches over the safety of her children. And now, my dear little fellow, with what can I better conclude than by saying, fear God, honour your parents (for, thank Heaven, we have no king to honour), love the United States, mind your books, be yourself a man of honour, and ever scorn to be guilty of a mean action; and upon these conditions I am, as long as I live, your most affectionate grandfather,

WIL: LIVINGSTON

Sedgwick, *Livingston*, 406–8.

1. Letter not found.
2. The Hunts were a numerous family in Westchester County, where the Jay homestead at Rye was located.
3. Deuteronomy 22:6.

## To Chauncey Whittelsey

Elizabeth Town 2d february 1787

My dear Sir

I have received your recommendatory Letter by Mr. Morse<sup>1</sup> & can assure you that any letter from you naturally recalls to my mind those agreeable Ideas which many years absence from our mutual Alma Mater<sup>2</sup> have [ . . . ] in much more turbulent & illiterate scenes than those we were engaged in at the seat of the Muses are so apt to banish from it. Be assured Sir that no person whom you shall think proper to recommend to me will find himself disappointed in his expectations of

meeting with that observation & regard such recommendation deserves from one who hath so particular a respect for the *Recommender*. But unfortunately both for him & me, Mr. Morse not finding me at Elizabeth Town Called upon me at Trenton where attending upon the Legislature at a distance from hence<sup>3</sup> it was not in my power to shew him so much attention as I should have been able to have done had I seen him at my own house. At this solitary & rural mansion however I am sure that on his return from the southern States<sup>4</sup> your respect for him & his own personal Merit will make him a most welcome guest & furnish me with a better opportunity to evince my regard for every lover of Science & especially for those who have a particular share in your friendship.

Mr. Morse has adopted the best method imaginable to gain proper information for perfectionating his *Geography made easy*. Some of the best ancient historians made themselves we know by that means the best historians by visiting I mean the Countries of which they intended to give a description. Hertodotus<sup>5</sup> in particular became a great traveller for this express purpose.

You will see by the enclosed what steps I have taken to procure for your friend the best intelligence I could respecting the State of New Jersey; but alas such is our Indifference about every Science save the Science of getting money, that I have hitherto received an answer to his Queries from one county only.<sup>6</sup> *That* & whatever other I may receive I shall deliver to Mr. Morse when he does me the pleasure to call upon me on his return; But my remarks on his present Edition of his *Geography made easy* I take the liberty to Enclose to you,<sup>7</sup> because it is natural to Authors & especially to young ones to be fond of their own works & partial to their own [diction]. As my remarks however were made in the hurry of business and indeed at a time when nothing but my desire of the promotion of knowledge, the honour of America & my wishes to render a work undertaken by a Gentleman patronized by you as perfect as possible would have engaged me in such a task, you will probably find many of them futile. If so you have but to disregard them & consequently no alteration in those instances will take place in the next Edition.

And now my Dear Sir (I dont know whether it be proper to begin a paragraph with the word *and* which is a particle by which sentences are joined but from the warmth of friendship I will upon this occasion dispense with all the rules of grammar & continue to say) and now my

Dear Sir from the Book & the Author Let me turn my attention to the Recommender. What would I not give for only one hour's conversation with you. It would to me be inestimable. But alas, alas, there is I suppose no probability of your ever honouring & felicitating my hermitage with your presence & no greater likelihood considering my time of Life of my ever having it in my power to revisit that darling spot of mine in which I received the first rudiments of my Education & for which I still retain the tenderest affection, *New Haven*. If however in the other world (I mean the blissful one for in the future state, there are two very different worlds) we shall be able consistent with the constitution of that glorious region to know & to converse with those who have been dear to us on the dim speck of the Universe, I hope there to receive my long lost arrears of your company *here*.<sup>8</sup> In the mean time may the Great head of the Church (which since the revolution I am persuaded, King George will not pretend to be in any part of America) second your labours with Gospel Ministry & make you the happy Instrument of converting thousands from darkness to light & from the power of Satan to the living God.

LBC, MHi.

1. Refer to Chauncey Whittelsey to WL, Nov. 9, 1786 (MHi).
2. Livingston graduated from Yale in 1741; Whittelsey graduated in 1738 and remained at Yale as a tutor. Morse was a 1783 graduate.
3. The legislature met from Oct. 24 to Nov. 24, 1786, at Trenton (*General Assembly* [Oct. 24–Nov. 24, 1786], 1).
4. In November 1786, shortly after being ordained a congregationalist minister, Morse left Connecticut to take temporary charge of a congregation in Midway, Ga. Seeking additional information for an expanded edition of *Geography Made Easy*, first published in 1784, Morse met with Livingston at Newark, with Franklin in Philadelphia, and with Washington at Mount Vernon. He reached Georgia in January 1787 and returned to New Haven in August of that year.
5. The fifth century B.C. Greek historian Herodotus.
6. Livingston enclosed an essay on Burlington County based on information supplied to him by the legislature in response to his queries. The essay covered such topics as "Situation and Extent," "Soil Production and Staple Commodities," and "Inhabitants and Houses." Refer to Contribution to Morse's *Geography*, Feb. 2, 1787 (MHi).
7. In a long essay, Livingston critiqued Morse's *Geography*. After praising the manuscript as "a work of such public utility" which "deserves the encouragement of every public spirited man & every lover of Science," Livingston proposed to Morse and Whittelsey, a number of "amendments."

The remainder of the essay consists of page-by-page corrections and recommendations for the *Geography*. The new edition was a broad one, examining such phenomena as religion, government, and social/personal characteristics of various groups, and was not

restricted to the United States. Livingston's comments ranged from characteristics of American Baptists to the geographical location of Wilmington (which Morse had placed in Philadelphia), to the nature of the Swedish monarchy. Refer to Contributions to Morse's *Geography*, Feb. 2, 1787 (MHi).

8. For previous correspondence between the two men see WL to Chauncey Whittelsey, Jan. 1, 1779, 3:9–10. Since Whittelsey died in July 1787, it is highly unlikely the two ever met again and no record of such a meeting has been found.

## To John Tabor Kempe

Elizabeth Town 10 Feb. 1787

Sir

I would cheerfully apply to Governor Clinton<sup>1</sup> for what information you wish to have from him respecting your confiscated Property in the State in which he presides<sup>2</sup> were I upon such terms with that Gentleman as would make it proper for me to take that liberty tho' we are very far from being at variance. It is only respecting a little matter of Etiquette, which has prevented my waiting upon him the two last times that I have been in New York. I am

LBC, MHi. Sedgwick transcription.

1. George Clinton of New York.

2. "An Act for the Forfeiture and Sale of the Estates of Persons who have adhered to the Enemies of this State, and for declaring the Sovereignty of the People of this State, in respect to all Property within the same," was passed Oct. 22, 1779, by the New York legislature to confiscate the lands of Loyalists such as Kempe (Jones, *History of New York*, 2:269; *Laws of New York* [Feb. 12–May 12, 1784], 116). WL's relationship with Kempe dated to prerevolutionary New York when Kempe was attorney general and WL practiced law there.

## To John Tabor Kempe

Elizabeth Town 10th: February 1787.

Sir

I did not receive the Duplicate of your Letter of the 7th: September last till the 1st: of January and the Letter of which it is a transcript did not come to my hands till the 16 of January.<sup>1</sup> On the 3d: of January<sup>2</sup> I wrote to our Treasurer<sup>3</sup> and Auditor of Accounts<sup>4</sup> for what you wanted out of their respective Offices But it seems that your endeavor's to pro-

cure what is requisite to ascertain your Claim to a Compensation for your Losses are attended with a most untoward fatality.<sup>5</sup> On the 17th: of January I received a Letter from Mr. Dunham<sup>6</sup> our Auditor that was above half consumed by fire occasioned by its dropping into that merciless element from the mantel peice of the Gentleman to whose Care it had been committed. I immediately informed Mr. Dunham of the Accident and not before the 3d: of January did I receive a Duplicate of his Letter of the 8th: January.<sup>7</sup> The Original has never reached me. Of this I inclose you a Copy. As I was very urgent in my Letter to the Treasurer & Auditor (for I wrote to both of them in one Letter and to use the greatest dispatch in furnishing me with the Documents you wanted and referred them to Mr. Houston<sup>8</sup> an Eminent Lawyer in Trenton to advise them respecting the Certificate of the Judgement and Conviction) I cannot but criminate Mr. Dunham for sending his last mentioned Letter by the Stage Waggon, instead of the post, the former of these Conveyances being extremely precarious by their often leaving The Letters entrusted to their Care at the places where they shift their Horses and Waggons. I should be very unhappy to think that what you want to ascertain your Claim should by such a concatenation of Cross accidents come too late. But I hope your Government which has really shewn a very laudable spirit in recompencing those who have suffered by their Loyalty I mean from principle which without a Complement I have reason Sir to think was your case tho' as to many others on both sides of the question I am persuaded they were wholly actuated by self Interest, will prove so indulgent as not finally to decide against them at the time you mention for the want of those Documents which they have taken every means in their power to procure and which notwithstanding all their industry to that purpose they were not able through a Concurrency of unavoidable accidents to obtain by the time prescribed. As the Documents I expected from Mr. Dunham did not arrive as soon as I expected I wrote to Dr. Tillary<sup>9</sup> on the 22d: of January<sup>10</sup> desiring him to forward to you the Copy of Mr. Van Rensalaers release to the proprietors of Westonhook<sup>11</sup> without waiting for the other papers for this I was obliged to have copied in New York and ordered to be delivered to him after it had been sent to me to be certified. I not having any Clerk who could do it, and being myself so involved in Business as not to be able to undertake the Task myself which otherwise I should have done with pleasure.

I have not received the Certificate you want concerning the Record of the Conviction and Judgment against you & Mrs. Kempe whereby all your property in our State became forfeited, tho' I gave the most express directions about it to Mr. Dunham and desired him to consult Mr. Houston on the Subject in order to have it done in the most authentic manner.

On the 1st: of January I wrote to General Schuyler<sup>12</sup> inclosing a Copy of that part of your Letter relative to what you wished him to procure for you. I urged my request to him from your frequent disappointments from the respectable Character you have always sustained from the universal Opinion of your faithful adherence to the Cause of Great Britain from a sense of duty and not from self interested motives and from my friendship for you to give you the desired assistance. This Letter I delivered to a Son of mine<sup>13</sup> who lives in New York and was then on a Visit at my Country seat and who told me that General Schuyler was expected in New York in a few days as a Member of the Senate of that State and that he would be particularly carefull to deliver to him my Letter. But to this Letter I have not yet received an Answer, As I expect to go to New York in a few days I shall make it my Business to speak to General Schuyler on the subject. Indeed I blame myself that I have not during this interval made a re-application to him by Letter but other Business has unfortunately prevented the recollection.

I believe that very few of the debts due from our people to those called Loyalists have been paid into our Treasury. As we do not know the Debtors they take the Advantage both of the State and of their Creditors by paying neither.

We certainly do not understand the Treaty so as to allow those whose Estates have been Confiscated by our Laws antecedent to it to sue for their Debts.<sup>14</sup> We only consider it as obliging us to discontinue all further proceedings in causes then depending and which no Judgements had been obtained and in this Sense I believe we have strictly adhered to it.

It appears to me rather hard that the Commissioners for Investigating the Claims for Losses notwithstanding proof of Attainder and Confiscation of property is made before them, should not consider (as I have heard they do not) an Estate as Confiscated and gone nor do report upon it until it is actually sold and the Sales certified by the proper Officers. I say I think this rather hard because it can be no consequence

to the Sufferer whether his Confiscated property is or shall be sold, or not as he cannot enforce the Sale and it is equally lost and gone to him whether the State ever disposes of it or not, And if this practice is founded upon an expectation that those of the Estates Not sold Will be restored to the former owners there is not the least probability of such an event ever taking place in New Jersey. Indeed I always thought it very injurious to the State to sell any of them as most of them were sold greatly under value and the Business very fraudulently transacted by many of the Commissioners to whom it was intrusted and who for their knavery and Artifice I doubt not were a full match for any public Rogues in England.

Mr. Dunhams Letter of the 8th: Instant which accompanied his two Certificates is in those words "Your favor of the 3d inst.<sup>15</sup> I received this Morning and send herewith by Caleb Camp Esq. two Copies of Mr. Kempes Estate which was in the County of Hunterdon the Remainder shall be forwarded as speedily as the Situation of Business will admit."<sup>16</sup>

I have been thus particular Sir not to make a merit of any trouble you may suppose my inclination to serve you in this affair has given me (for it has rather given me pleasure) but to convince you that the unlucky procrastination of the Business and the long detention of the Documents is not to be ascribed to any Negligence of mine. All my trouble is, my apprehension that they may come too late to be of any Service to you which I should sincerely regret. If in future you will be so kind as to communicate to me in what other respects I can demonstrate the unimpaired continuation of my Friendship for you by rendering you any service in my power, I hope you will without the least hesitation impart such wishes to Sir, Your most humble Servant

WIL: LIVINGSTON

Lcy, MHi.

1. Letters not found.
2. Letter not found.
3. James Mott.
4. Aaron Dunham.
5. For Kempe's appearance before the Royal Commission on the Losses and Services of American Loyalists, refer to *American Loyalist Transcripts*, 46:37ff (NN).
6. Letter not found.
7. Refer to Aaron Dunham to WL, Jan. 8, 1787 (NN), for information on Kempe's New Jersey estate.
8. William C. Houston.

9. Dr. James Tillery (Tillary) of New York City.
10. Letter not found.
11. This may refer to a 1763 agreement between John Van Rensselaer and the proprietors of the Westenhook patent. Awarded by Lord Cornbury to eight New York landlords in 1705, the Westenhook patent bordered Livingston Manor and Rensselaerwyck and included lands later absorbed by Massachusetts. In 1763, to defend their land titles against possible revocation by the Crown, John Van Rensselaer and the Westenhook proprietors agreed to combine their titles. Pursuant to this agreement, Van Rensselaer in 1769 ceded thousands of acres to the Westenhook patentees. Kempe, as New York attorney general, often supported claims against the Van Rensselaer estate (O'Callaghan, *New York Colonial Documents*, 7:950–51; 8:381, 576).  
Kempe inherited a title to Westenhook lands from Dr. Daniel Coxe, great-grandfather of Kempe's wife, Grace Coxe (American Loyalist Transcripts, 46:43, 79, 88 [NN]). For previous discussion of the Westenhook patent see Peter Van Brugh Livingston to WL, Oct. 6, 1785.
12. Philip Schuyler.
13. Probably Henry Brockholst Livingston.
14. For discussion of the peace treaty and the confiscation of Loyalist properties see WL to Sir Guy Carleton, May 17, 1783, n. 2 and 3.
15. Letter not found.
16. For an account of Kempe's New Jersey lands refer to John Tabor Kempe to WL, Apr. 11, 1787 (MHi); and American Loyalist Transcripts, 46:42ff, 224ff (NN).

## To James Kinsey

Elizabeth Town 15 February 1787

Sir

I just now received your Letter of the 12 Instant.<sup>1</sup> As it proves so very inconvenient to you & your Clients that the present Chancellor lives in Elizabeth Town;<sup>2</sup> I hope that the Joint Meeting for your & their better accomodation will in October next appoint for Governor some Gentleman residing in the City of Burlington.

I have signed the rules you sent with the amendment I proposed but as it is absolutely impracticable for me to correspond by Letter with every Gentleman of the Law who has business in the Court of Chancery; not to say (I do not think myself a proud *man*) that I conceive it rather derogatory to the dignity of the *Chancellor* so to do as well to open a Book of Accounts for the fees of those motions that ought to be paid when made. For these reasons I am determined be the consequences what they may that I will not in future submit to such dishonourable drudgery.

There is a passage in your Letter that seems rather indelicate tho' I

am persuaded, you did not consider it in that light, I mean that passage which carries cause of the procrastination of the business in that Court.<sup>3</sup> The insinuation is certainly without foundation. The present Chancellor most sincerely wishes to expedite all suits depending in his Court with the utmost dispatch & he has frequently made condescensions for that purpose which were more obliging than official. Notwithstanding, My dear Sir, the necessity to which you have reduced me for the honour of the State of New Jersey & from my determined resolution to support the dignity of the highest court in it as far as any poor abilities can support it, yet considering ourselves in the light of private Gentlemen & I hope as intimate friends there is a perhaps not a man in the world who has a greater regard for Mr. Kinsey or is more ready to serve him, than, Sir, your sincere friend & humble servant

Lcy, MHi. Sedgwick transcription.

1. Letter not found.
2. For WL's role as chancellor and the function of the chancery court see WL to William Livingston, Jr., Jan. 19, 1781, and n. 1 and Commission of Samuel Witham Stockton, May 12, 1781, both in vol. 4:126–27, 192–93.
3. Kinsey represented the defendant and the complainant in at least two cases heard in chancery during February 1787. In *Robert Barclay v. John Stevens et al*, Feb. 20, 1787 (Nj), heard February 17, Kinsey represented the complainant, Barclay, whose action was directed against the East Jersey Proprietors. Refer also to *John Inskip, Jacob Husty et al v. Elizabeth Lecony*, Mar. 9, 1786 (Nj).

## To Abraham Clark

Elizabeth Town February 16, 1787

Sir

I have received your favour of the 12th instant inclosing the Letters<sup>1</sup> which you was so kind as to transmit one for which I acknowledge myself under great obligations to you. If Congress in their regulation of the Postage of Letters have made any difference between New Jersey & the other States to the disadvantage of the former<sup>2</sup> I cannot but applaud your zeal in refuting the affront & I shall be ambitious of sharing with you the honour of showing a proper sense of the indignity with which our State has been treated. But not being at present possessed of sufficient information either relative to the information itself or the motives inducing Congress to make it I cannot pretend to form an adequate Judgment of the matter.

Lcy, MHi. Sedgwick transcription.

1. Letter and enclosures not found.

2. One of the few national powers capable of enforcement by the Continental Congress was that of regulating and establishing post offices and fixing postal rates. On Sept. 20, 1786, Congress resolved that all postage fees must be paid in specie by the sender (*JCC*, 31:674–75). Congress again considered postal regulations on Feb. 14, 1787. At that time specific rates based on weight were established. These rates were lowered by Congress on Mar. 12, 1787 (*JCC*, 32:45–57, 106).

## To Elijah Clarke

17 February 1787

I am really more distressed by the posture of our public affairs, than I ever was by the most gloomy appearances during the late war. We do not exhibit the virtue that is necessary to support a republican government; and without the utmost exertions of the more patriotic part of the community, and the blessing of God upon their exertions, I fear that we shall not be able, for ten years from the date of this letter, to support that independence which has cost us so much blood and treasure to acquire.<sup>1</sup>

I pray for the disappointment of my forebodings, but God will not smile upon public iniquity, nor upon that astonishing ingratitude where-with we requite his marvellous interposition to deliver us from the bondage to which our enemies meditated to reduce us.

Our situation, sir, is truly deplorable, and without a speedy alteration of measures, I doubt whether you and I shall survive the existence of that liberty for which we have so strenuously contended.

Sedgwick, *Livingston*, 403.

1. For a similar expression during wartime of WL's disgust at the absence of virtue among Americans see WL to Henry Laurens, Jan. 8, 1778, 2:170–71.

## To William Burnet, Sr.

Elizabeth Town 23 feb. 1787

Sir

I was greatly surprized at Mrs. Livingston's acquainting me that you had not furnished her with your account for attending my family as Physician for some years past by reason of which I must consequently

be considerably in your debt;<sup>1</sup> and as of most things in the world I detest the thoughts of dying in debt I beg you to furnish me with your account as soon as possible.<sup>2</sup> I will not assure you that I shall be able to pay it upon sight as I do not at present abound in cash but I will give my note for what we shall agree to be due & such note I will make it my business to discharge in the course of six months from the date of it.<sup>3</sup>

Lcy, MHi. Sedgwick transcription.

1. For the most recent mention of Mrs. Livingston's health see WL to Susannah French Livingston, Feb. 19, 1786.

2. Burnet's bill of account not found and probably never rendered. For the most recent example of WL's attitude toward the payment of debts see WL to Benjamin Van Cleve, May 5, 1786.

3. For the most recent mention of WL's financial situation see WL to Susannah Livingston, Dec. 12, 1785.

## To Peter Augustus Jay

Elizabeth Town 23d february 1787

My dear Peter Jay

I have received your Letter of the 27th of January<sup>1</sup> & without flattering I do not think that King George's principal Secretary of State is able to write a better one upon the same subjects. I am persuaded that no Secretary of State or Prime Minister in all Europe could have written a better one at your age. Oh what a pleasure does it give Grandpapa to find that you are improving in Learning & knowledge.<sup>2</sup> I hope you will make as great progress in virtue & religion for that is of Still greater importance. When will you & Master Gardoquy<sup>3</sup> come to make me visit? I have been all this winter thinking of coming to New York to see you & some Boys & Girls of six feet high but one unforeseen event or other has constantly frustrated such my design. If you do not understand the word *frustrated*; I would advise you to look for the meaning of it in Johnson's Dictionary,<sup>4</sup> in which he will perhaps tell you that it signified *Oats* & that Oats signify a certain grain which is the food of Scotchmen & of english *horses*.

I intended to have gone to New York this very week; but *misfortune on misfortune brotber Marcus!*<sup>5</sup> I find that I must sit on the hearing a cause in the Court of Chancery on the 7th of March.<sup>6</sup> Apropos about the Court of Chancery, if I could get you to be a Jersey Man, I would make you

one of the Masters of it as I am persuaded that my dear Peter in that office would never fail of attending the Chancellor upon a hearing which the present Masters in that Court are very apt to do. In your next Letter I wish you to write at least two lines of it in Latin; that these be entirely of your own composition without the least assistance of, or consultation with, any body older. Give my love to Papa & Mamma & to my Spanish & french granddaughters & tell Papa & Mamma that I think it is a great while since they have seen Elizabeth Town: tho' we are at least enough like New York to have a dancing assembly.

Oh when Shall I see my dear Peter at Liberty Hall! I am sure he is my darling & consequently that I am his affectionate Grandfather.

Ley, MHi. Sedgwick transcription.

1. Letter not found.
2. For the most recent mention of Peter Jay's education see WL to Peter Augustus Jay, Jan. 18, 1787.
3. Probably the son of Don Diego de Gardoqui, the Spanish minister to the United States.
4. Samuel Johnson, *A Dictionary of the English Language* (1755).
5. Possibly from Livy: "One misfortune is generally followed closely by another" (*Histories*, 1:46).
6. Among the cases considered that day was *Potts and Downing v. Thompson*. See WL to David Brearley, Mar. 9, 1787.

## To John Jay

Elizabeth Town 26th February 1787

Dear Sir

I think you told me that you had in your possession a bond from John Thomas to me. I find by my Memorandum of bonds that it is dated the 4th of January 1769, & for £205, 16.10; & the only payment I find upon it is £14.7.0 in the year 1770.<sup>1</sup> As I have however not been so exact in giving credit on many bonds as I ought to have been, it is possible that more may have been paid upon it. If so, the Executors will probably be able to satisfy me respecting this particular<sup>2</sup> & very slender proof has in such cases great weight with me, as I would much rather eat oysters or lobsters than defraud any man.

I wish that as soon as you have sufficient leisure you would advert to this matter as I should be glad to have the money as speedily as it is attainable.

I beg the favour of you to send my Brother Peter my inclosed letter to him.<sup>3</sup> As to the other Peter for whom I also inclose one, you will not have the trouble of sending but only of delivering it.<sup>4</sup>

About what is the Emissary from Canada come to Congress?<sup>5</sup> Or is it a secret? If so I desire not to know the intent of his mission, or to penetrate into the Arcana of Congress. With Love to Mrs. Jay & the tripartite Indenture sealed by you both,<sup>6</sup> I am Sir your most humble Servant.

WIL: LIVINGSTON

ALS, NNC.

1. Bond not found but refer to Schedule of Bonds Debts etc. Belonging to the Estate of Governor Livingston Deceased, 1790 (MHi).

2. John Thomas's will, dated Jan. 28, 1775, was proved on Sept. 11, 1780. The executors named in the will are Abigail Thomas, John Thomas, Jr., Thomas Thomas, and James Franklin (*N. Y. Historical Collections* [1900], 33:206).

3. Peter Van Brugh Livingston. Letter not found.

4. See WL to Peter Augustus Jay, Feb. 23, 1787.

5. United States Postmaster General Ebenezer Hazard and deputy postmaster general for the Province of Quebec Hugh Finley were negotiating for the establishment of regular postal service between Canada and the United States. The plan did not succeed. Matthias Ogden, who at the time was conferring with Eben Hazard on unrelated matters, may have relayed the news of the arrival of Finley's emissary to WL (*JCC*, 32:78-80).

6. Jay's children: Peter, Maria, and Ann.

To William Livingston, Jr.

March 1, 1787

Son William

If Mr. Clarke will buy me at Rhode Island a Quintal<sup>1</sup> of the back head of Dumb fish,<sup>2</sup> such as the Gentlemen of that place, buy for their own tables, (& not the white [march?] or table sort that is transported to the Mediterrean for Roman Catholics to fast upon,) I shall be much obliged to him, & if he will consign it to Brockholst, I will pay the cost to his order. Yours

WIL. LIVINGSTON

ALS, MHi. Sedgwick transcription.

1. Quintal: 100 kilograms or 220.46 pounds.

2. Dumb fish: salted, dried, and then aged codfish, usually consumed during the Lenten season when Catholics abstained from eating meat.

## To John Tabor Kempe

Elizabethtown, 3d March, 1787

Sir

I cannot think of charging you for the great seal, as you have had so much trouble about procuring these documents;<sup>1</sup> and my fear is, that after all, they may arrive too tardy to prove of any service to you. As to my trouble, I pray you not to think of it. There was a period not many years since, when I could not have spared the time; but since your English lads have left us—(I mean those of them who came after the fashion of *vi et armis*,<sup>2</sup> and in the way of forcible entry, though they made but a wretched hand of the detainer, for as to many others in the civil line, and who then lived among us, and have since been obliged to leave us, I really regret their departure from America.)—since that time, I say, I have been able to return to my library and rural solitude, which I enjoy with infinitely greater satisfaction than any posts or titles which it is in the power of men to confer upon me: and if I find greater pleasure in any worldly occupation, than I do in books and gardening, it is in serving my friends; and I hope, to a considerable degree, even my enemies too. If any thing further occurs to you, sir, respecting your interest among us, in which I can possibly be of the least service to you, pray communicate it with the freedom of friend to friend, and besides the pleasure of serving you, I shall have the additional one of *singularity* (of which some people are very fond), that is, as the world goes, of being sincere in one's professions, and fulfilling one's promises. God bless you and all your family, which will be of greater advantage to you and them than the compliments of any man. My principal secretary of state, who is one of my daughters,<sup>3</sup> is gone to New-York to shake her heels at the balls and assemblies of a metropolis, which might as well be more studious of paying its taxes, than of instituting expensive diversions. I mention this absence of my secretary to atone for the slovenly handwriting of this letter, and of my enclosed certificate, because she is as celebrated for writing a good hand as her father is notorious for scribbling a bad one. I am, etc.

WIL: LIVINGSTON

Sedgwick, *Livingston*, 409–10.

1. For previous discussion of Kempe's attempts to procure official documents see WL's two letters to John Tabor Kempe, Feb. 10, 1787.

2. *vi et armis*: by force and arms.

3. Susannah Livingston.

## To William Livingston, Jr.

Elizabeth Town 6th March 1787

Son William

It would give me great pleasure to favor either you or Mr. Bell,<sup>1</sup> but in the instance you propose,<sup>2</sup> I see a most evident impropriety. Sir William Johnson by means of his connection with the Delancey family was ever an enemy to mine; & has wronged me particularly out of a fine tract of Land in the Mohawk country.<sup>3</sup> I cannot therefore submit to so great a condescension to his son Sir John (who I doubt not bears the like enmity to every human creature of the name of Livingston) as to recommend any person whatsoever to him; or, (what virtually amounts to the same thing) to Mr. Watts<sup>4</sup> for the purpose of his recommending such gentleman to Sir John, in consequence of my recommendation to the former.

Besides, such a measure might eventually give rise to a report that I was concerned in a clandestine trade with the British of Canada; & I would rather form commercial connections with that miserable part of the human species at the Cape of Good Hope, called Hottontots.<sup>5</sup> I am your affectionate father

WIL: LIVINGSTON

ALS, MHi.

1. Probably Andrew Bell, the Loyalist brother-in-law of William Paterson.

2. Proposal not found.

3. For the long-standing enmity between the Livingston and DeLancey families see Introduction, 1:4–5. The Canajoharie Patent of 8,000 acres on the Mohawk River, made to Philip Livingston and three associates between 1731 and 1738, became a major issue in the Livingston-DeLancey feud. The Mohawk Indian complaint that the patent had been fraudulently obtained was championed by Sir William Johnson, keeping WL and other patentees from profiting from their holdings. For the most recent reference to the Canajoharie Patent see Henry Brockholst Livingston to WL, Nov. 11, 1783.

4. Probably Robert Watts.

5. The Hottentots, a tribe of southern Africa, excited considerable curiosity among Europeans in the late eighteenth century.

## From William Livingston, Jr.

Eliz: Town 7th March 1787

Dear Sir

Being no stranger to the enmity that subsisted between the DeLancey family and yours,<sup>1</sup> it was never in my thoughts that your name should have been made use of in solliciting a favour from any one of its branches. To impress Mr. Watts with favorable sentiments of Mr. Bell, such as I supposed you entertained of him yourself without any reference to the trade in question was all I had in view. This being done he would have been at liberty to have made his own Terms with Sir John, & you as well as myself strangers to their negotiations. As to the trade itself it is well known that the british by the wrongful detention of De Troit<sup>2</sup> contrary to express treaty deprive us of its most valuable emoluments, & I cannot see that to divert as much of it as possible into other channels such as would redound to the advantage of the Country, is either inconsistant with the principles of a whig, or deserves the epithet of a *clandestine trade with the british*. To merit the former was ever my highest ambition and to avoid every illicit connection with those *wild beasts of Ephesus*<sup>3</sup> my studied care. But I must confess, that as consonant as it may be with the Character of an american to profit by the diversion of this trade, I could not see how an agent for the King could reconcile the loss of any part of it with his duty to the Crown, and if Sir John inherited either the activity or talents of his father, no great advantages as I conceived were to be expected. Mr. Bell was sanguine & did not view this as an obstacle to his plans, I submitted to his judgment as I do now chearfully with yours in overruling my request and am yours dutifully.

WM. LIVINGSTON JUN.

ALS, MHi.

1. See WL to William Livingston, Jr., Mar. 6, 1787.
2. The British maintenance of forces at Detroit, contrary to the terms of peace, hindered trade west of the Mississippi. For Great Britain's refusal to evacuate the western forts contrary to the terms of peace, see John Beatty to WL, Apr. 13, 1785.
3. A reference to the legendary wild beast shows put on at the amphitheater in Ephesus during the Roman period (I Corinthians 15:32).

## To David Brearley

Elizabeth Town 9 March 1787

Sir

I entirely forgot to ask your opinion of the merits of the cause in the case of Potts & Downing against Thompson<sup>1</sup> the hearing of which I found you had attended. As the decision of a controversy in the Court of Chancery depends upon the sole decree of one single Judge & as from such decree there is no appeal (which is different from the British System of Jurisprudence) our constitution<sup>2</sup> has not only laid a great burden upon the shoulders of such judge; but is perhaps considering our jealously respecting the delegation of power in other cases) deficient in having committed it to me only. Every Gentleman therefore in that Station will naturally be extremely solicitous to make such determination as that every appeal from it (in cases an appeal was allowed) should prove fruitless, or in other words a decree so just as might not to be appealed from. My present sentiments relative to the case in question are these. I am Sir

Lcy, MHi. Sedgwick transcription.

1. The hearing was held Mar. 7, 1787. Refer to *Stacy Potts and Samuel Downing v. Mark Tbomson*, Jan. 17, 1786 (Nj) and see David Brearley to WL, Mar. 15, 1787.

2. New Jersey's constitution makes no particular mention of the structure of the chancery except to stipulate that the governor act as chancellor. Refer to Larry R. Gerlach, ed., *New Jersey in the American Revolution 1763-1783* (Trenton, 1975), 213-16. For previous reference to this court see WL to James Kinsey, Feb. 15, 1787.

## From David Brearley

Trenton 15 March 1787

Sir

I have received your letter of the ninth instant.<sup>1</sup>

I did not hear the whole of the Arguments before your Excellency, in the cause Potts and Downing against Thompson, nor did I hear the Bill read. But what I did hear amounted to this, that they did not charge the Arbitrators either with partiality corruption or apparent mistake, but

they founded their complaint upon the three following reasons, to wit, first. That there was a penalty in the Article of Agreement, beyond which the Arbitrator could not go.

2dly that it was possible that the defendant had sold part of the Iron that he had made to other persons than the complainants contrary to the Article of Agreement, and 3dly That it was possible that the Defendant had made Iron from other than the Andover Pigs, and on the two last points they pray that the Defendant may disclose under Oath.

With regard to the first point, that of going beyond the penalty; it certainly is a proper question for a court of law, and then it has been decided upon. This was the objection to the Award, that they principally relied on, in the Supreme Court. The Doctrine that governed the Court in that decision, is very fully established by the case, *Love versus Peers*, 4 [ . . . ] Refr. 2228. With respect to the two other two points: I take it that the Court of Chancery will never countenance a naked surmise, unsupported with any sort of proof, and especially when it has every appearance of being a mere subterfuge to avoid an award fairly made.

I am therefore altogether in opinion with your Excellency that the Bill ought to be dismissed with costs. I have the honour to be, your Excellency's most obedient & humble Servant

DAVID BREARLEY

ALS, MHi.

1. Refer also to *Stacy Potts and Samuel Downing v. Mark Thomson*, Jan. 17, 1786 (Nj).

From Henry Brockholst Livingston

New York 16. March 1787

My dear Sir,

As it will not be in my Power to visit you as soon as I intended, I send by Billy<sup>1</sup> the Peas & some other Articles you & Susan<sup>2</sup> wrote for Woodhull,<sup>3</sup> to whom Susan referred me for Clover seed, has none on hand at present. He expects some daily & is to let me know when he receives it.

I am extremely happy to hear of your Recovery, altho' we have had no Intimation of your having been so ill until Billy came to town. I hope

the fine Season that is coming on will prevent a Relapse & restore you to your wonted good health. A strong Constitution with the Prescriptions of the female Physician you so highly recommend, will doubtless contribute not a little to this desirable Event.

Give my Love to Mamma, whom I long much to See & believe me your affectionate & dutiful Son

BROCKHOLST LIVINGSTON

ALS, MHi.

1. William Livingston, Jr.
2. Susannah Livingston. For a similar request for peas refer to WL to Baron von Steuben, Mar. 9, 1787 (MHi).
3. Letters not found. Probably New York merchant James Woodhull.

## To Jedidiah Morse

March 30, 1787 Elizabeth Town

Dear Sir

Lest you should pass through this village while I am at New York, whither I am bound tomorrow, I thought proper to leave a few lines to be delivered to you by my family.<sup>1</sup>

I had a copy made of each of your Queries for every member of our Council, with my request to answer them, so far as related to their respective counties with all convenient speed. As I have only received 2 returns it is not worth while to enclose them, but I shall transmit them to you when I shall have received the rest, or the greater part of them: And as I expect to meet our Legislature in May next,<sup>2</sup> I shall give the delinquent Councillors a gentle shove to perform their promise.

The enclosed letter to Mr. Whittlesey<sup>3</sup> contains some observations I have made on certain passages of the present edition of your *geography made easy* which I entirely submit to your & his better judgment. I am Sir your most humble servant

WIL: LIVINGSTON

ALS, PHi.

1. For Morse's previous visit to Elizabethtown see WL to Chauncey Whittlesey, Feb. 2, 1787.
2. For Morse's queries refer to Inquiries relating to Morse's *Geography*, Jan.–Feb. 1787

(MHi). The records of the council, which met from May 16 to June 7, 1787, contain no references to these queries.

3. Letter not found, but see WL to Chauncey Whittelsey, Feb. 2, 1787, and refer to Contribution to Morse's *Geography*, Feb. 2, 1787 (MHi).

## To Alexander McWhorter

Elizabeth Town 12 April 1787

Revered Sir

My daughter Caty<sup>1</sup> has taken it into her head to be married to morrow afternoon at four o'clock to (M) Ridley<sup>2</sup> a gentleman from Maryland & a descendant of the famous Bishop Ridley<sup>3</sup> & as I have long since taken it into my head that all my daughters whenever they marry shall be married by *Presbyterian Bishops*<sup>4</sup> I should be glad to see the nuptial knot tied by the *Bishop of Newark* by which I mean Dr. McWorther.<sup>5</sup>

Lcy, MHi.

1. Catharine Livingston. For previous mention of an impending marriage in the family see Susannah French Livingston to WL, Nov. 18, 1786.

2. Matthew Ridley, the business agent of Robert Morris. For the most recent reference to Catharine Livingston's stay with the Morris family in Philadelphia see WL to John Livingston, June 30, 1783, n. 2. For Catharine Livingston's correspondence with Matthew Ridley refer to the Ridley Papers (MHi).

3. Nicholas Ridley, the first Episcopal bishop of London.

4. There are no bishops in the Presbyterian polity, the highest theological office being that of ordained minister.

5. McWhorter was pastor of the Newark Presbyterian Church.

## From John Tabor Kempe

No. 116 Jermeyn Street London

2nd May 1787

Sir

I had the Honor of writing to you on the 11th. April last<sup>1</sup> in Expectation my Letter would have gone immediately by Mrs. White,<sup>2</sup> who—(Mr. H. White being dead) is going to settle again among her Friends at New York. She was then upon the move, and I delivered her my Packet, but a few Days afterwards the Voyage of the Ship she was going in was given up and she has been detained to this Time. She goes by this Packet, as does my Letter of 11 April, under Cover to Dr. Tillary.<sup>3</sup>

In that Letter I availed myself of the Liberty you have been so good as to allow me, of pointing out to you such further matters, as I hope you can assist me in, respecting the Documents I yet want, and have mentioned some Circumstances as will shew you, that there are many—more behind obtainable, because many more of my confiscated Lands have been sold, than your Auditor seems to have an account of. If any farther Information on this Subject shall be wanting, Dr. Tillary can supply all that can be requisite.

My Loss of Property in New York, and Vermont is much greater than in New Jersey;<sup>4</sup> I have but one Certificate of the Sales of any of my New York Lands, and that is of the greatest Part of my Interest in a large Grant near Oriskanie.<sup>5</sup> As to my Lands in Vermont,<sup>6</sup> I have not a single Document respecting any of them, tho I know that some of them are regranted by the Vermonters. I have attempted to get Proofs respecting them thro' New York—thro' New Hampshire, and thro Canada, but I have not obtained any Thing, not even the Vermont Act of Attainder, nor is that Act in this Country. For what can be obtained respecting these & my New York Lands my great Dependence is on Dr. Tillary, especially as I find by your Letter that a matter of Etiquette, has put it out of your Power to procure for me the aid of Governor Clinton for what respects my Lands in his State.<sup>7</sup>

I have not yet been heard, and am therefore not without Hopes, that the April Mail from New York, may bring me the further Documents mentioned in your Letter—when I will be heard, if I receive also Part of what I expect from Dr. Tillary, and trust to the Courts making a fair & proper Case, of such further Documents as may arrive afterwards. The Health of my Family as well as my Finances making it necessary for me to get out of this Town as soon as I can; but where shall I go to. I have no Choice, my Fathers—Friends all dead, and those of my Countrymen whom I knew in America they—very few of them at least know me, in this my State of Depression, so, any Part of this Country is equal to me, I have nothing to draw me towards one Place more than another, but the mere Consideration of Climate, and the Prospect of making new Acquaintances that may prove tolerably agreeable.

My Principal Intention of writing you that Letter, was to inform you of my having acquitted myself of the Commission you honored me with to Mr. Watts.<sup>8</sup> He desired when I should next write to you that I would not fail to return to you his Compliments, and say that he thanks you

with all Sincerity for your affectionate Message. He is the best practical Philosopher I know. He bears the Consequences of the Revolution with all Composure and Firmness, and from that even Temper of mind, joined to a good Constitution, he looks as well, and I really think almost as young, and quite as hearty, as ever I remember him to do. I am Sir your much obliged & very humble Servant;

J. T. KEMPE

P.S. I have this Instant received by the Post Duplicates of your Letters of 3rd February & 10 March last, with the Enclosures.<sup>9</sup> They came by a private Ship. The April Packet from New York is not yet arrived.

ALS, MHi.

1. Refer to John Tabor Kempe to WL, Apr. 11, 1787 (MHi).
2. Perhaps the wife of New York Loyalist Henry White, who like Kempe was attainted in 1779 and later went to England (Jones, *History of New York*, 2:269; Palmer, *Sketches of Loyalists*, 923–24).
3. Dr. James Tillery.
4. For reference to Kempe's New Jersey lands see WL to John Tabor Kempe, Feb. 10, 1787, n. 16.
5. For previous reference to the Oriskany Patent see WL to Philip Schuyler, Feb. 6, 1784.
6. For previous discussion of Vermont lands see WL to John Livingston, Nov. 26, 1784.
7. For WL's reluctance to intercede with George Clinton on Kempe's behalf see WL to John Tabor Kempe, Feb. 10, 1787.
8. Possibly John Watts, a former member of the New York Council, who left America for England in 1775 and was attainted by the Oct. 22, 1779, confiscation law (Jones, *History of New York*), 2:269–70. See WL to John Tabor Kempe, Feb. 10, 1787, n. 2, for New York's confiscation law. John Watts, Jr., testified at Kempe's 1787 hearing in England (*American Loyalist Transcripts*, 46:244–46 [NN]).
9. Kempe apparently transposed the dates of WL's letters. The proper dates were Feb. 10, 1787, and Mar. 3, 1787. Refer also to Aaron Dunham to WL, Jan. 8, 1787 (NN).

### Appointment of William Livingston and Abraham Clark to Federal Convention

May 18, 1787

The State of New Jersey— To His Excellency William Livingston and the honorable Abraham Clark Esquires

Greeting

The Council and Assembly reposing special trust and Confidence in your integrity, prudence and ability have at a joint Meeting appointed

you the said William Livingston and Abraham Clark<sup>1</sup> Esquires in conjunction with the honorable David Brearley, William Churchill Houston & William Paterson Esquires, or any three of you, Commissioners to meet such Commissioners as have been appointed by the other States in the Union at the City of Philadelphia in the Commonwealth of Pennsylvania on the second Monday of this present Month for the purpose of taking into consideration the state of the Union as to trade and other important Objects, and of devising such other provisions as shall appear to be necessary to render the Constitution of the federal Government adequate to the exigencies thereof.

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 at Burlington the Eighteenth day of May in the year of our Lord One thousand seven hundred and Eighty seven and of our Sovereignty and Independence the Eleventh.

WIL: LIVINGSTON  
BOWES REED

D, DNA:M, 866.

1. John Neilson had declined to serve. See Appointment of David Brearley, William C. Houston, William Paterson, and John Neilson, Nov. 23, 1786.

### To David Brearley

Burlington 19 May 1787

Dear Sir

The State has added to our Delegates in Convention, Mr. Clark & myself. I expect that by the middle of next week at farthest we shall have a full representation by the attendance of Mr. Clark & Mr. Patterson. Mr. Houston's ill state of health which I sincerely regret will I fear prevent his going tho' he told me that he intended it. It will be more agreeable to me, & what is of more consequence more useful to the State in my opinion that I should remain here during the sitting of the Legislature which I imagine will not be protracted beyond three weeks. After the rising of the Assembly,<sup>1</sup> I will upon sufficient notice to prepare for the

Journey cheerfully take the place of any one of you that shall choose to return home & your Delegation should during the Sitting be unavoidably reduced to two I will leave the Legislature & go to the Convention rather than that the State should for a single day be unrepresented in it but in that case I should wish to have notice sufficient to enable me first to go to Elizabeth Town where I should want two or three days to arrange my own affairs & prepare for the Journey.

Lcy, MHi.

1. The assembly met from May 24 through June 7, 1787. WL arrived in Philadelphia for the Constitutional Convention on June 5, 1787. On June 15 William Paterson presented the New Jersey Plan to the convention. The well-known proposal, written by Paterson and Brearley of New Jersey, John Lansing, Jr., of New York, Luther Martin of Maryland, and Roger Sherman of Connecticut, was designed to counter the Virginia Plan. The New Jersey Plan was rejected on June 19 (Madison, *Debates*, 22–27, 101–4, 127).

From Samuel Osgood, Walter Livingston, and Arthur Lee

Board of Treasury May 25th, 1787

Sir,

We do ourselves the honor of transmitting to Your Excellency for the information of the Legislature of the State in which you preside, an Ordinance of the United States in Congress of the 7th. Instant, for the speedy and effectual Settlement of the Accounts depending between Individual States and the United States.<sup>1</sup>

The Interest of the State as well as that of the Union are so materially involved in the completion of this object, that we entertain the fullest confidence that every measure will be adopted by the Government for facilitating the execution of this Business.<sup>2</sup>

The Commissioner appointed for the District in which the State of New Jersey is included<sup>3</sup> is directed to give seasonable notice of the time when he will attend in person or send on a proper Clerk to receive and examine such Accounts and Vouchers as the State may be ready to furnish; And as the several States are limited by the Ordinance to a period for exhibiting their respective Claims against the Union<sup>4</sup> (of whatever nature the same may be) we doubt not they will be impressed with the importance of losing no time in bringing forward their Accounts. We

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have the honor to be with great respect Your Excellencys most Obedient Humble Servants,

SAMUEL OSGOOD  
WALTER LIVINGSTON  
ARTHUR LEE

LS, Nj.

1. On May 7, 1787, Congress approved another in a series of resolutions to settle the accounts between the states and the central government. The 1787 resolution divided the nation into five districts, and authorized the Board of Treasury to appoint one commissioner to each district to settle accounts with the states within that district. The commissioners were to collect vouchers of state military expenditures for submission to a congressionally appointed three-member board for payment (*JCC*, 32:262–66). For previous reference to the issue of federal-state accounts see Benjamin Thompson to WL, Oct. 22, 1785.

2. The New Jersey Legislature passed no law in 1787 pertaining to this resolution (*Acts* [Oct. 24, 1786–June 7, 1787], 436, and [Oct. 23, 1787–Mar. 6, 1787], 452).

3. New Jersey and New York constituted one district. As of Oct. 16, 1787, Congress had not appointed the district commissioners (*JCC*, 32:262; 33:686–87).

4. States had six months dating from the appointment of the commissioners in which to submit vouchers (*JCC*, 32:264).

From John Jay

N. York July 12, 1787

Dear Sir

Agreeable to your kind Request Peter is now going to Elizabeth. He is no less pleased with this Mark of your affectionate attention than I am, and I flatter myself will be equally disposed to manifest his sense of it. You will find him thin and pale—a Fever here just left him, and a Relapse is of course to be guarded against. While he is with you I have nothing to apprehend from want of Care. It would have given me great Pleasure to accompany him, but it is not at present in my power. If it should be before your Return to Philadelphia,<sup>1</sup> I shall not neglect the opportunity of passing some pleasant Hours with you. At any Rate Let me receive peter again from your own Hands, and that [so?] long before the time you prepare to set out for the Convention as that you may favor us with more of your Company than such short visits as you usually make to N York permit us to enjoy. I am Dear Sir your affectionate Humble Servant.

AL, NNC.

1. WL left Philadelphia for Trenton and Elizabethtown on July 3. He returned to Philadelphia on July 20, 1787.

## To Delegates of South Carolina in Federal Convention<sup>1</sup>

Elizabeth Town 12 July 1787

Gentlemen

I do myself the honour to acquaint you that I have authentic Intelligence that an ingenious Engraver in London has lately applied to Mr. Adams<sup>2</sup> to inform him that a Scotchman to him unknown made application to him to engrave a plate for striking Bills in imitation of the paper Bills of Credit of North & South Carolina & that the said Engraver went to all his Brethren of the craft in the City & found another to whom the like application had been made by the same Scotchman.

I have been further credibly informed that there was lately in the City of London to the amount of several hundreds of thousands of base copper in circulation which hath since been universally refused. It is supposed by concertion of design & in order to be bought up at a great discount & sent to America.<sup>3</sup> It would undoubtedly be a prudent step for all the States in the Union to prevent this base Metal from circulating amongst them.

Lcy, MHi. Sedgwick transcription.

1. South Carolina was represented by John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, and Pierce Butler.

2. John Adams, first envoy to Great Britain.

3. Counterfeiting was a common practice for the British during the Revolution. See, for instance, Asher Randolph to WL, Aug. 18, 1781, 4:253–54.

## From Jonathan Dayton

Philadelphia July 13th 1787

Sir,

I have the mortification to inform your Excellency that altho we have been daily in Convention, we have not made the least progress in the business since you left us. It is unnecessary & would perhaps be im-

proper, to relate here the causes of this delay, they will very readily occur to your Excellency from your knowledge of them heretofore.

I must request that your excellency will be pleased agreeably to the arrangement made at parting, to return to this place on Tuesday or Wednesday next<sup>1</sup> at farthest.

Mr. Paterson must leave this town the first day of August,<sup>2</sup> & I must consequently be here to relieve [him] the last day of this month, let my stay at home [ . . . ] been ever so short. I shall therefore at best have [had] ten days. I have the honor to be Your Excellency's most obedient & very humble Servant.

JONA: DAYTON

ALS, MHi.

1. Prior to WL's departure on July 2, 1787, the delegates decided on June 29 not to return to the confederation system of equal voting for states in the first house. On July 2 the convention became deadlocked over the issue of equal votes in the second house (Madison, *Debates*, 188, 201).

2. William Paterson left Philadelphia to attend to family business.

### From Matthew Ridley

Susquehanna the 16th July 1787

Dear Sir

This will be delivered you by my Brother in Law, Major Sears, whom I beg leave to introduce to your Acquaintance & Civilities.

By a Letter from Sussey to Kitty<sup>1</sup> I learn you had returned home & would probably stay about three Weeks.<sup>2</sup> When you get back to Philadelphia, if the Business of the Convention will permit, pray let us have the pleasure of seeing you here. You will make Kitty & me happy.<sup>3</sup> It will be some relaxation to you & the Journey will promote health. The distance from Philadelphia is only 60 miles. The Stage runs thro' in a day & if you will only drop me a Line advising of your time of setting out, a Servant & Horse shall be sent to the Ferry for you.

For News, at least, much as is stirring, I refer you to Kitty.<sup>4</sup> Pray remember me affectionately to Mamma & Sussey & believe me respectfully Dear Sir Your Affectionate Humble Servant.

MATT. RIDLEY

ALS, MHi.

1. Letter not found.
2. For WL's return to Elizabethtown see Jonathan Dayton to WL, July 13, 1787.
3. Matthew Ridley married Catharine Livingston on Apr. 13, 1787. For announcement of their wedding plans see WL to Alexander McWhorter, Apr. 12, 1787. Ridley's country home "Bay Tide" was near the Lower Ferry of the Susquehanna River in Maryland.
4. Catharine Ridley provided no additional news in her letter. Refer to Catharine Ridley to WL, July 16, 1787 (MHi).

## To John Jay

Elizabeth Town 19 July 1787

Dear Sir

By a notification I received yesterday from Philadelphia that one of my colleagues is obliged to return home<sup>1</sup> I am obliged to set out for that cool City & excellent fish market to morrow. Mrs. Livingston will take care to send Peter by a safe hand. He has had no relapse since he has been here, & afforded me great pleasure in my solitude.<sup>2</sup>

I cannot be reconciled to the absurdity of putting him in Ovid's Epistles. He might [ . . . ] he has been thumming over that author, have gone thro' half a Dozen prose writers, & been almost master of the latin language. The frequent allusions to history that abound in those Epistles, & with which Boys of Peter's age cannot be presumed to be acquainted, & the difference of the state of poets & [prose] writers render the absurdity, evident to every man except Schoolmasters.<sup>3</sup>

I hope when I take my final leave of the Sachems in Convention, I shall have the pleasure of spending some time with you either here or in New York. I am you humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. See Jonathan Dayton to WL, July 13, 1787. In WL's absence from the Constitutional Convention, a committee on July 5 suggested that representation be according to population in the first branch, with each state having an equal vote in the second. Representation in the first house was one member for every 40,000 people. The convention reached another deadlock on July 11 over such issues as the census and the three-fifths rule which would permit slaves to be counted as three-fifths of a free person for the purposes of representation. On July 16 the Great Compromise was adopted. It stipulated that representation in the first house be determined by population and gave each state equal representation in the second house. In addition, the three-fifths rule in counting

slaves was adopted with the total number of inhabitants to be determined by a census every ten years. The first house was given exclusive control of money bills (Madison, *Debates*, 206–13, 231–41, 263).

2. For Peter's visit to Elizabethtown see John Jay to WL, July 12, 1787.

3. Ovid's *Epistles*, or *Heroides* (ca. 10 B.C.), consists of a collection of fictitious love letters written by legendary noblewomen. For the most recent reference to Peter's learning of Latin see WL to Peter Augustus Jay, Feb. 23, 1787.

### From Charles Thomson

Office of Secretary of Congress

July 25th 1787

Sir

I have the honor to transmit to your Excellency herewith enclosed an act passed the 23rd by the United States Congress assembled, limiting the time for all persons having unliquidated claims against the Confederacy to exhibit such claims for adjustment.<sup>1</sup> As all accounts not exhibited within the limited times will be precluded from settlement or allowance, I have to request the favor of your Excellency to cause this Act to be published, that all the Citizens of your state whom it concerns may have notice thereof.

With the greatest Respect I have the honor to be Your Excellency's Most Obedient and Most Humble Servant.

CHA THOMSON

ADf, MHi.

1. The claims to be honored pertained to the commissary, quartermaster, hospital, clothier, and marine departments (*JCC*, 33:392).

### From John Jay

New York Office for foreign Affairs

27th July 1787

Sir

I have the Honor of transmitting to your Excellency herewith enclosed, a Copy of the Signals agreed upon between the United States and the Emperor of Morocco,<sup>1</sup> by which their respective Vessels are to be known to each other at Sea.<sup>2</sup> The Design, Sir, of sending you this

Paper is, that such *American* masters of Vessels as may make Voyages from your State, in the course of which they may expect to meet with Cruisers from Morocco, may be supplied with Copies.

I have the Honor to be with great Respect your Excellency's most obedient & humble Servant.

JOHN JAY

LS, MHI.

1. For centuries the Moslem Barbary states of North Africa had been taking Christian vessels and selling their crews into slavery. In 1786 Thomas Barclay, United States consul-general at Paris, was sent to negotiate peace with Morocco (*JCC* 30:259–60). In July 1786 Barclay concluded a treaty with the emperor of Morocco, Mohammed Mulay, respecting neutral rights and the exchange of prisoners. The papers relating to the treaty were formally submitted to Congress on Apr. 12, 1787 (*JCC* 32:176).

2. According to the enclosure, the signals agreed upon were “for Vessels of two or three masts. In the Day, a blue Pendant is to be hoisted on the end of the main Yard—and in the Night, a Lantern is to be hoisted on the same place.

For Vessels of one mast only. In the day a blue pendant is to be hoisted at the mast Head, and in the Night a Lantern is to be hoisted on the Ensign staff.”

## Report to the Convention

Tuesday August 21. 1787

The Legislature of the United-States shall have power to fulfil the engagements which have been entered into by Congress, and to discharge as well the debts of the United States, as the debts incurred by the several States during the late war, for the common defence and general welfare.<sup>1</sup>

To make laws for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the Offices, and the authority of training the militia according to the discipline prescribed by the United States.<sup>2</sup>

Farrand, *Records of the Federal Convention*, 2:352.

1. Prior to adjourning briefly on July 26, the convention dealt with such issues as the method of electing the chief executive. On July 23 it agreed to turn all proceedings over to a committee of detail to prepare a draft constitution. The draft presented on August 6, the day the convention reconvened, favored the South and those who wanted a strong federal government. Its contents were the subject of debate over the next month. Among the issues discussed were the qualifications of electors and the elected, the organization of

Congress and the powers of that body, and restraints on congressional power, although the convention refused to consider a Bill of Rights. One of the most pressing issues debated was state debts. On Aug. 18, 1787, Charles Pinckney of South Carolina said that provision should be made to pay debts. John Rutledge moved that a grand committee be appointed to consider the assumption of state debts. This Committee of Eleven was chaired by WL who submitted its report. Elbridge Gerry of Massachusetts insisted that Congress be required to meet the debts. The convention on August 30 then unanimously adopted Gouverneur Morris's motion that Congress should discharge state debts (Madison, *Debates*, 304–11, 332, 337–46, 420–21, 435–38, 556–57).

2. The section concerning the militia was considered by the convention on Aug. 23, 1787. It voted that the control of the militia should be assumed by Congress (Madison, *Debates*, 451–56).

## Report of Committee of Eleven

Friday August 24, 1787

Strike out so much of the 4th section of the 7th article as was referred to the Committee and insert “The migration or importation of such persons as the several States now existing shall think proper to admit, shall not be prohibited by the Legislature prior to the year 1800—but a Tax or Duty may be imposed on such migration or importation at a rate not exceeding the average of the Duties laid on Imports.”<sup>1</sup>

The 5th section to remain as in the report

The 6th section to be stricken out

Farrand, *Records of the Federal Convention*, 2:396.

1. Sectional interests caused southerners to favor the continuation of the slave trade while northerners desired the imposition of export taxes. With export taxes prohibited and slaves imported duty free, northern freemen would pay an unfair share of government expenses. In addition, northerners charged that with the three-fifths clause, southerners would gain an inordinate power in the national government. Luther Martin on August 21 proposed that either the slave trade be halted or a tax be placed on imported slaves. Gouverneur Morris then proposed the matter be sent to a committee to discuss the entire issue of export taxes, slavery, and navigation acts. WL chaired the committee whose report represented a bargain struck between the North and South. Slave importation would not be halted until 1800 but a tax on slave importation could be imposed. On August 25 a further concession was made to the South by moving the year to end importation from 1800 to 1808. The measure was adopted on August 29 (Madison, *Debates*, 88, 100, 232–40, 241–46, 249, 358–61, 438–43, 467–68, 481–89).

## To John Jay

Phildelphia September 4, 1787

Dear Sir

I have received yours of the 27th last.<sup>1</sup> Having not yet had a line from you acknowledging the receipt of a Letter of mine covering one to Mr. Kempe, which incloses papers of considerable consequence to him, & which I desired you to acknowledge the receipt of, I am apprehensive it may have miscarried;<sup>2</sup> & unless I hear from you before I set out for home, to the contrary, I shall consider my apprehensions well-grounded, & for that reason procure him another certificate from our Auditor's office on my passage through Trenton. But as that will be unnecessary in case you have received the letter I refer to, & will retard my Journey a whole day on account of quitting the State waggon, I wish you answer me on that Subject by monday next as farthest, because I hope by that time to exchange noise bustle & formality, for tranquillity blackfish & Sincerity.

The *mountains will bring forth* before long;<sup>3</sup> but as they will *go longer* than any the best man—and—wife upon earth would have calculated, it is less to be feared that the birth will be such a fetus as a *ridiculus mus*,<sup>4</sup> than a *monstrum horrendium ingenit*.<sup>5</sup>

I was much pleased with my jaunt to Mr. Ridley;<sup>6</sup> & as he is more like yourself in many instances than any man I know, so is his dear Little Essex<sup>7</sup> more like my dear little Peter Jay, than any boy I ever saw; for which, without a complement, I don't like either him or his Son the less.

I thank you for your kind invitation to me to come to New York after my return home. My long absence will for some time prevent me from making any excursions. At least I fear it will, because stil [unmerited?] business that has so long Detained me here, will I fear require my redoubled attention when I come home to my own little concerns.<sup>8</sup> But Mahamet could go the mountain, when the mountain could not come to Mahamet.

Am much pleased to hear that Peter is at Rye provided he is on the way of improving his mind,<sup>9</sup> & of that, I'm persuaded you will take care

you to take the trouble of bringing me any fish; I mean with scales, but a few Lobsters considering where I have sojourned for months past, would be, notwithstanding their British Uniform, when boiled be very agreeable to Sir your most humble & affectionate Servant

WIL: LIVINGSTON

ALS, NNC.

1. See WL to John Jay, Sept. 11, 1787.
2. Possibly John Rutledge.
3. New Brunswick, N.J.
4. The commencement ceremonies were held on Sept. 26, 1787.
5. Abraham Clark.
6. Walter Minto.
7. Possibly Sephen Crane, Jr.
8. Carr: pond or pool.

## Bill of Manumission for His Slaves

October [1–31] 1787

Know all Men by these presents that I William Livingston of the Borough of Elizabeth in the County of Essex & State of New Jersey, in consideration of my regard for the natural liberties of mankind, & in order to set the example as far as my voluntary manumission of Slaves, may have any influence on others have manumitted emancipated and set at Liberty & Do by these presents manumit emancipate & set at Liberty a certain Negro woman slave called Bell and also her male child called Lambert both born in my family in a state of slavery & do hereby release acquit & discharge the said Bell and her child from any services to me or my representatives as fully & effectually to the extent & purposes whatsoever as if they had been born first free. In witness thereof I have hereunto set my hand & seal this [ ] day of October in the year of our Lord one thousand seven hundred & eighty seven.<sup>1</sup>

ADf, MHi.

1. As recently as 1785 WL had made inquiries about purchasing slaves. See Timothy Brush to WL, Mar. 5, 1785. For WL's opposition to slavery and the New Jersey act permitting manumission see WL to the New York Manumission Society, June 26, 1786, and n. 2. Despite his personal determination to end slavery WL realized that compromise was necessary, as he demonstrated when he chaired the constitutional committee that set 1808 as the date on which the slave trade would end. See Report of Committee of Eleven, Aug. 24, 1787.

## To Robert L. Hooper

Elizabeth Town 4 Oct. 1787

Dear Sir

I hear that you have appointed the hearing of the cause between Mary Linn & her husband<sup>1</sup> on the 3d Wednesday in this month. If so, I will give you the opportunity of sitting as Chancellor in the case by absenting myself from the State on that day. You can easily realize my feelings on such a delicate occasion; & the scurrilous behaviour of that man on a former hearing of an interlocutory motion convinces me that if I sit myself I should be obliged either to suffer the court to be insulted by him or to commit him for his insolence, neither of which you will easily conclude, would be agreeable to me.<sup>2</sup> If you should think proper to desire the assistance of the Chief Justice<sup>3</sup> to sit with you in the hearing in order to avail yourself of his Judgment as far as you think proper, I doubt not but that he would take that trouble for the furtherance of Justice with his usual disposition to oblige & do good.

P.S. I should be glad of a Line from you on this subject; & particularly whether I am rightly informed as to the day of hearing.<sup>4</sup>

Lcy, MHi. Sedgwick transcription.

1. James Linn, husband of WL's daughter, Mary. For the most recent mention of the Linns' marital problems see WL to Mary Livingston Linn, 3: 369–70.

2. For mention of the previous court hearing refer to Henry Brockholst Livingston to WL, May 11, 1786, and Apr. 10, 1786 (both MHi).

3. For previous correspondence concerning WL's role as chancellor see WL to David Brearley, Mar. 9, 1787.

4. For Hooper's reply and refusal to hear the Linn case refer to Robert L. Hooper to WL, Oct. 15, 1787 (MHi).

## To the Legislative Council

Trenton 25th. October 1787

The Commissioners Appointed by joint meeting of the Legislature to meet Commissioners of the other States in the Union, at the City of Philadelphia, in the Month of May last, for the purpose of taking into consideration the State of the Union etc. beg leave to report to this hon-

ourable House, that, in pursuance of their appointment they met the Commissioners of eleven of the other States in the Union at Philadelphia and thereupon entered upon the business of their appointment.

That the Commissioners so convened did after long and serious deliberation & with no small difficulty, finally agree upon a Plan for the Government of the said United States, which together with the other Acts of the Convention were by them transmitted to the honourable the Congress of the United States. Copies of the same are hereunto annexed.

All which are, by your Commissioners, most humbly submitted to this honourable House.

WIL. LIVINGSTON  
DAVID BREARLEY  
W.C. HOUSTON  
JONA. DAYTON.

*“That auspicious era”  
Ratification and the First  
Federal Election*

*November 1787—  
September 2, 1789*

The Constitution adopted at Philadelphia in September 1787 would become the law of the land only after it had been approved by nine states. New Jersey, disillusioned with a government that failed to protect the interests of small states, was the third state to ratify the document on Dec. 18, 1787. By June 21, 1788, the approval of nine states had been achieved, but the holdouts included New York and Virginia, two of the most powerful states in the union. Gov. William Livingston and other observers watched with interest as Federalists and Antifederalists contended in these states.

The issues centered on differing views as to how a republic should be put into operation. Federalists, such as William Livingston, were generally elitists who feared the changed social order produced by the Revolution. They sought a government that would restrain democracy while renewing the ethical basis of government. The Antifederalists feared the centralization of power inherent in the Constitution, believed that the states rather than the people as a nation formed the legitimate basis for government, and were alienated by the absence of a bill of rights. They favored a more democratic society than did the Federalists, wanted a federal as opposed to a national government, and were wary of the unlimited taxing power of Congress.

Although differences were deep and abiding, a consensus was reached in Virginia on June 25, 1788, when James Madison agreed to work for the addition of a Bill of Rights to the Constitution. The debate was more prolonged in New York, where the Antifederalist opposition was headed by Gov. George Clinton, who published several Antifederalist essays under the pseudonym "Cato." To counter Clinton's influence, Alexander Hamilton, James Madison, and Livingston's son-in-law John Jay, published a series of eighty-five essays which detailed the federalist position for that and all subsequent generations. The essays, known to posterity as *The Federalist Papers*, were instrumental in securing New York's ratification of the Constitution on July 26, 1788. Also instrumental was Hamilton's threat that New York City might secede from New York State if ratification was not achieved.

New York's ratification meant that the union would endure. The news caused a jubilant Livingston, pleased to have "lived to see adopted a new Constitution which promises national happiness," to send his congratulations to the New Jersey Assembly. In his message, the governor commented that the United States was "now arrived at that auspicious era which, I confess, I have most earnestly wished to see. Though with the smiles of Providence upon our Arms during the late War, we have triumphed over our enemies, we have since been in eminent danger of losing the great & important blessings to be expected from the Independence thence derived . . . by want of an efficient national Government."<sup>1</sup>

The potential for such an efficient government undoubtedly existed under the new Constitution, but it remained to be implemented. In 1788 the form that government would take was still ambiguous and in need of definition. While the ratification of the Constitution represented a temporary triumph of nationalist sympathies over factional divisions, disputes within states concerning federal power, slavery, representation, and other issues divided the new nation.

This was particularly true in New Jersey where long-standing disputes contributed to the antagonism that marked the bitter federal elections of 1789. The divisions centered around advocates of paper money and their opponents, the conservative Whigs, who favored hard currency. The former popular faction, headed by Abraham Clark, favored the interests of small farmers and debtors within the state while the latter hard-money advocates, headed by Livingston, favored the creditor class. Both factions worked for the ratification of the Constitution, but once this was achieved their temporary alignment ended. Antag-

onism between them resurfaced with the 1789 congressional elections.

In this election, Livingston's faction supported a ticket known as the West Jersey Junto, consisting of Elias Boudinot, James Scheureman, Lambert Cadwalader, and Thomas Sinnickson. The opposition candidates included Clark and Jonathan Dayton. The campaign rapidly deteriorated into the use of smears as both sides, but especially the Junto, resorted to scathing personal attacks. The election controversy was heightened by the uncertainty created by New Jersey's 1788 election law, which dictated that the election begin on a certain date in February but failed to specify a closing date for the polls, an omission that gave WL crucial authority at a key moment. With an open-ended election, both sides pressed to keep the polls open, particularly when their side fell behind, while encouraging their supporters to turn out.

To end the election, Livingston convened a Privy Council on Mar. 3, 1789, the day before Congress was scheduled to meet in New York. By this date, Livingston had received returns from only seven of thirteen counties, with the Clark faction strongly in the lead. The governor refused to close the election, but instead scheduled a second Privy Council meeting for Mar. 18, 1789, to determine the winners.

The respite was enough to permit the moderate Whigs to pile up a comfortable margin. When the Privy Council reconvened, Livingston announced that with twelve of thirteen counties having submitted their ballots, and with the faction he favored in the lead, the election was closed. New Jersey's representatives to the first congress were Boudinot, Sinnickson, Cadwalader, and Scheureman, commissioned by Livingston to "represent & vote in behalf of this State in the House of Representatives of the United States."<sup>2</sup> The New Jersey delegation belatedly took its place in Congress.

Despite the Privy Council's decision, the election controversy continued in New Jersey, where Livingston's opponents, led now by Matthias Ogden, protested the Privy Council's not closing the polls at the first meeting when opposition candidates were in the lead. In April, Ogden drafted a letter to Congress with "sundry petitions annexed thereto, complaining of illegality in the late election of Representatives for that State to this House."<sup>3</sup> On June 6, 1789, Ogden wrote to Livingston to request a copy of the election returns. Livingston refused, but agreed "to produce the original returns to the [congressional] Committee on the hearing."<sup>4</sup>

The House investigated Ogden's charges but on September 2, 1789,

confirmed the election results, leading Boudinot to inform Livingston that “our long Contested Election was finally determined about 12 oClock this day in favour of the sitting Members.”<sup>5</sup>

The factionalism that marred the first congressional election in New Jersey had its roots in ancient antagonisms in the state. The issues were not resolved with the election, but would resurface in the next decade as the philosophical and ideological controversy over how to implement a republican form of government continued.

1. WL to Ezra Stiles, Dec. 12, 1788; WL to the Legislative Council, Aug. 29, 1788.
2. Certificate of Election, [Mar. 21, 1789].
3. Refer to DePauw, *House Journal*, 38.
4. WL to Matthias Ogden, June 8, 1789.
5. Elias Boudinot to WL, Sept. [2, 1789].

## To Jedidiah Morse

Trenton 1st November 1787

Reverend Sir

I received your Letter of the 26th of October yesterday.<sup>1</sup> Since I sent a Description of three of our counties to Mr. Whittelsey (whose death I sincerely deplore)<sup>2</sup> I have received that of either one or two others, which shall be at your service when you do me the pleasure of what you have given me the agreeable expectation, I mean a personal visit at my hermitage, alias Liberty Hall in the vicinity of Elizabeth Town.

That I have received the descriptions of so few of our counties as you mention, I now find, or at least am told, is my own fault. Although I had a number of copies made of your queries immediately after you delivered them to me last fall, & as I thought a sufficient number to give one to each of our Council, yet some members of that body tell me they went home without one; & that I promised to send them after the rising of the Legislature; but that they never received them. If the case be really so, (of which however I have not the least recollection, nor greater faith than I have in Saint Athanasius)<sup>3</sup> I can atone for my neglect only by delivering them at our present Sitting, & pressing those members to transmit to me their answers as speedily as possible. The Legislature expecting to adjourn next week,<sup>4</sup> it is probable that I may receive them seasonably enough before your intended publication. If I do, I shall make it my business to forward them to you without loss of time, upon this condition (which I wish to have annexed to those already sent) that you either return them to me after you have extracted from them what you may think proper to insert in the Book, or copies of them. My reason is, that those already sent, & I hope the same of those to come, contain a more particular description of this State, than I imagine I shall ever obtain in any other way; & the poor Governor of New Jersey has not at present, a creature in his house that can copy them except himself; & to make such copies himself, he verily hath not sufficient leisure.

As to your kind & polite offer Sir, to dedicate the work to me with my permission, I confess myself under great obligations for your intention.

I have no other objections against it than these two (the last of which, it is however in your own power to obviate). In the first place, I do not know what umbrage such a choice of your Patron might not give to the Governor of your own State,<sup>5</sup> who, I am persuaded, has been very prompt to promote your undertaking; & is by all accounts a gentleman of a very amiable character. Secondly, next to my dislike of being slandered & maligned, I hate to receive any praises that I do not deserve; and, according to the usual run of dedications, incense is offered to those who are no deities.

Relative to the Map—I doubt Sir whether I have sufficient skill to comply with your request; but, if I can, I will procure a person to do it, that has.<sup>6</sup>

As to news in this part of the *terraqueous globe*, I can inform you of one fact which gives me great pleasure. It is that both the branches of our Legislature were unanimous in laying before the people the constitution planned by the late Convention;<sup>7</sup> & I hope & doubt not that the citizens of Connecticut will be as ready to adopt it, as I have reason to think we shall: & then I think we shall soon make my native Country, New York, a little *sickish* of their opposition to it. I am Reverend Sir your most humble Servant.

WIL: LIVINGSTON

ALS, PHi.

1. Refer to Jedidiah Morse to WL, Oct. 26, 1787 (MHi).

2. Chauncey Whittelsey died in July 1787. Enclosures not found, but see WL to Chauncey Whittelsey, Feb. 2, 1787, n. 5; and refer to Contributions to Morse's *Geography*, Feb. 2, 1787 (MHi), for a description of Burlington County.

3. Athanasius (c. A.D. 297–373), elected bishop of Alexandria about 327, was a renowned Christian scholar and writer. Known as “the champion of orthodoxy,” he was a leader in the struggle against Arianism and wrote numerous treatises from which the Athanasian Creed was drawn.

4. The legislature adjourned November 6 (*Legislative Council* [Oct. 23–Nov. 6, 1787]).

5. Samuel Huntington was governor of Connecticut. Morse dedicated *The American Geography*, published 1789 in Elizabethtown, to WL (Morse, *The American Geography*, Evans #21978).

6. In his Oct. 26, 1787, letter, Morse requested that WL critique a map intended for inclusion in his *Geography* (MHi).

7. On Oct. 29, 1787, the council unanimously approved an assembly resolution establishing an election for the fourth Tuesday in November to select delegates for a convention in December 1787. This convention would meet at Trenton to vote on ratification of the Constitution (*General Assembly* [Oct. 24–Nov. 24, 1787], 11–19, 21, 24–25, 31). On November 1, the assembly passed “An Act to authorize the People of this State to meet in

Convention, deliberate upon, agree to, and ratify the Constitution of the United States, proposed by the late General Convention" to implement this resolution (*Acts* [Oct. 23–Nov. 6, 1787], 441). See WL to the Legislative Council, Oct. 25, 1787.

## From John Tabor Kempe

No 43 Clarges Street Piccadilly  
London 6th: November 1787.

Sir

The Letter you had the Goodness to write to me from Philadelphia on 25 August last,<sup>1</sup> transmitted me through Mr. Jay<sup>2</sup> (to whom when you see him I beg you to return my Thanks for his Care in forwarding it) and covering a farther Account of the Sales of some of my forfeited Estate, did not arrive soon enough for me to acknowledge the Favor by the last Packet.

Upon comparing this Account with the former Account of Sales you transmitted me, and with my own schedule of my Jersey Estate I observe

1. That the first of these two Accounts is not of the same Form as far it goes, with the Account last sent, tho both are certified to be true Copies, the *first* taken from the Public Books, the *other* from the public Books and Returns in your Auditors Office—From whence it seems that they are rather what the Auditor conceived to be Substance of the Entries & Returns than real Copies.
2. That (except in one Instance of a 680 Acre Lot in Sussex) not one of the Quantities sold correspond to any of my Lands.
3. That in this last Account, the following Articles viz. 1/2 of 218 1/2 Acres—1/2 of 432 Acres 1/2 of 183 1/4 Acres in Sussex are stated to have been sold as my Property on 20 April 1780, to none of which I ever had the least Right, and upon comparing these Articles with a Certificate from the Commissioners of Sales in Mr. Coxes<sup>3</sup> Possession, it appears that on the same 20th: April the whole of these 3 Parcels were carved out by them from a Lot in Delaware belonging to Mr. D. Coxe, containing 1146 Acres, and were sold by them as Mr. Coxes *sole* Property; the remaining 313 Acres were advertised on 14 September 1786 to be sold as Mr. D. Coxes property by Joseph Gaston States Agent. It is inconceiv-

able how this mistake has happened in the Entries of the Auditors office.<sup>4</sup>

4. That tho I had interest in 20, or 21 Parcels of Land (besides disputed Rights which I have not inserted in my Schedule) the Accounts sent mention only 8 Parcels, exclusive of the following Article viz. 1/4 of 1200 Acres in Sussex, which I know nothing of, and which consequently is not included in my Schedule.
5. That of these 8 Parcels many of them can be only Parcels of larger Tracts particularly the two last Articles in the last Account sent.

By the Scale of Depreciation you refer me to, I have computed the Cash for which my Estates sold, and tho I expected to find as well from what you mentioned in a former Letter as from other Quarters, that the confiscated Estates had sold much under Value, yet I must say that the Value in Gold & Silver which mine have fetched, is lower than I could have conceived. If our Commissioners form their Estimates from such Sales, I am undone indeed.

I am yet at a Loss for the Value in Specie of the State Certificates for which it appears the three last Articles in the Account were sold for. If however they were equal to Gold and Silver, the Lands have not brought near their Value. What was the Value of these Certificates about the End of October 7, 1786?

How could it have happened that your State suffered itself to be so much injured as it has been in the Payment of John Rossels Bond.<sup>5</sup> It was for £500 Procuracy<sup>6</sup> with Interest: I perceive they calculated the Principal & Interest from its Date to 10 March 1780, and found it to be £701.5.0, and on the 15th of that month they received in Discharge of that Bond £701.5 *Continental* which by the Scale of Depreciation instead of being worth £701.5 Procuracy was only worth £17.13.8 3/4 Procuracy.

Permit me Sir to repeat again of what immense Consequence it may be to me, that the Remainder of my Lands be speedily sold. I am told that the Commissioners for examining our Claims, will close their Business in a few Months. My case must come on without fail on the 19 Instant, and I am very indifferently prepared with Proofs of the actual Sale of my confiscated Estates in your State and that of New York. As to Vermont where I had a large Property, I cannot find whether they have confiscated my Estate or not, tho I have some Proofs that my Lands in that Quarter have all been granted by the Vermonters, since they sat up

for themselves, but they have done this without any mention of my Interest, or that the Lands were contained in any New York Grant; so that my Evidence is not by public Document, but by Affidavit.

I see by the Papers that your Convention has broke up,<sup>7</sup> after having digested a new System of Federation; this therefore I presume will find you with your Family, to whom I beg you will present my most respectful Regards. I have the Honor to be Your Excellency's much obliged & most humble Servant

J. T. KEMPE

You will Sir permit me to repeat what I mentioned in my Letter to you of 11 April last,<sup>8</sup> that many more of my Lands have been sold, than have been returned as such into your Auditors office. Mr. Coxe has some Certificates from the Agents for Sales which shew this in part, and I fear therefore that all cannot be got at, but from the [Commissioners] & Agents themselves.

ALS, MHi.

1. Refer to WL to John Tabor Kempe, Aug. 25, 1787 (MHi).
2. See WL to John Jay, Sept. 11, 1787, and n. 2.
3. Probably Daniel Coxe, the brother of Kempe's wife, Grace. Coxe was his father's "Heir at Law," and apparently had to release certain lands to his sister. He and Kempe also owned some lands jointly (*American Loyalist Transcripts*, 46:48–49, 54–56 [NN]).
4. On Nov. 22, 1786, the New Jersey Legislature awarded to Charles Coxe of Hunterdon County, natural son of Col. Daniel Coxe, Daniel Coxe's grandfather, 350 acres of land in Hardwick Township confiscated from John and Grace Kempe. The legislature ruled that the Kempes and Daniel Coxe owed this land to Charles to fulfill the stipulations of the will of Col. Daniel Coxe (*Acts* [Oct. 24–Nov. 24, 1786], 373–74; *NJA Abstracts of Wills*, vol. 2, 1730–1750, 118–20).
5. Kempe issued a bond to John Rozell, probably in 1773 (*American Loyalist Transcripts*, 46:63 [NN]).
6. Procuration: a promissory note over which the issuing agent has a limited authority.
7. The Philadelphia Constitutional Convention met for the last time on Sept. 17, 1787.
8. Refer to John Tabor Kempe to WL, Apr. 11, 1787 (MHi).

Appointment of Abraham Clark, Jonathan Elmer, and  
Jonathan Dayton to Congress

[November 7, 1787]

To the Honorable Abraham Clark, Jonathan Elmer and Jonathan Dayton Esquires<sup>1</sup>

Greeting

The Council and Assembly reposing special trust and confidence in your Integrity, Prudence and ability, have, at a Joint meeting, appointed you the said Abraham Clark, Jonathan Elmer and Jonathan Dayton or any two of you to represent and Vote in behalf of this State in the Congress of the United States of North America from this day until the first Monday in November, One thousand seven hundred and Eighty Eight, unless a new appointment shall sooner take place. 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 at Trenton the Seventh day of November in the year of our Lord one thousand seven hundred and Eighty seven, and of our Sovereignty and Independence the Twelfth.

By His Excellencys Command

WIL: LIVINGSTON  
BOWES REED

D, DNA:PCC, 179, I.

1. On Oct. 31, 1787, the legislature appointed Clark, Elmer, and William Paterson to represent New Jersey in Congress. When Paterson refused to serve, the legislature, on Nov. 6, 1787, appointed Jonathan Dayton (*Joint Meeting* [Oct. 30–Nov. 6, 1787], 24).

To James Dana

Eliazbeth Town 26 Nov. 1787

Reverend Sir

I confess myself under great obligations to you for your very friendly Letter of the 26th October which I did not receive till this day.<sup>1</sup> I also

thank you for the two Sermons which it incloses on the death of my dear friend the late Mr. Whittelsey.<sup>2</sup> Little did I think when I wrote to him that he was so near his end. His death however was not I am persuaded premature to one so well prepared as I have reason to think he was for that awful event. And though to us a great man is fallen in Israel; we may with respect to himself joyfully [ . . . ] that glorious exclamation of the apostle “Blessed are the dead that die in the Lord for they rest from their labours & their works follow them.”<sup>3</sup> I have reason to venerate his memory. I loved him. He deserved it. He laid the foundation of the little knowledge I have & had I been as assiduous in [ . . . ] the superstructure as he was in laying the foundation, I might by this time have been good for something.

As you my dear Sir appear to have had a particular regard for that great & good man, you attract my esteem for you on that account abstracted from your own personal merit & I shall on both accounts felicitate myself whenever I have it in my power to serve you or any of your connections. In the mean while believe me when I say that with the utmost sincerity I am Sir your real friend & humble Servant

Lcy, MHi. Sedgwick transcription.

1. Letter not found.
2. For previous reference to the death of Chauncey Whittelsey see WL to Jedidiah Morse, Nov. 1, 1787.
3. Revelations 14:13.

### To William Livingston, Jr., Samuel Dick, and Joseph Hugg

Elizabeth Town 3 December 1787

In the List of the Surrogates returned to me<sup>1</sup> by Mr. Reed<sup>2</sup> as delinquent in settling their accounts with him & deficient in paying him I find your name.<sup>3</sup> If those at present in office will not be punctual, I know of no other method so effectual to prevent their unpunctuality in future as to supersede them in their office which however disagreeable it will prove to me I shall be necessitated to do with respect to every one of them who continues in that predicament above two months from the date hereof. As it is in [ . . . ] power to prevent my taking this disagreeable measure the blame if any must be at their own door. Since for

my own part I have an aversion from charging any officers in my appointment while they discharge their duty with that punctuality which they must be convinced is reasonably to be expected of them.

Lcy, MHi. Sedgwick transcription.

1. List not found. See WL to William Livingston, Jr., Jan. 19, 1781, 4:126–27.
2. Bowes Reed.
3. For WL's previous criticism of William Livingston, Jr., see WL to Catharine Livingston, Mar. 16, 1782, 4:385–86.

## To Ephraim Harris

Elizabeth Town 3 December 1787

Sir

I have the honour to inclose to you a Letter directed to you which I received last night inclosed in one to myself from Governor Randolph<sup>1</sup> of Virginia. I expect it contains nothing but the resolves of their Legislature respecting the new Constitution.<sup>2</sup> Resolves that betray great fear of its adoption, least the Dominion's domination over the smaller states should by that means be curtailed as to reduce the *Dominion Strut* to a level with the humble & natural gait of her Sister States. I also inclose you the paper that covered your Letter<sup>3</sup> to shew you that I am charged with the postage of the inclosures to the amount of 18/. I pay more postage a year than the Legislature have any conception of & as I dont choose to trouble them about these affairs, I make no charge of it against them. But as this is inclosed to me meerly I suppose because the writer of the Letter imagined that it would by that means more probably come to your hands, & being intended for you as the Speaker of the Assembly, I cannot but think it reasonable that the postage of it should be reimbursed me by the House for that reason transmit the cover to you wishing you to put it in your pocket when you next meet the Assembly & to use your influence to have me repaid. If however the house shall think otherwise & make the least objection against it I am content to pay it out of my own pocket. With great Esteem I have the honour to be Sir your most humble & very Obedient Servant

Lcy, MHi. Sedgwick transcription.

1. Edmund Randolph.
2. Antifederalist objections to the Constitution began shortly after it was adopted. In Virginia this opposition was led by George Mason, Patrick Henry, Richard Henry Lee,

and Arthur Lee. Both they and the Constitution's proponents, led by Edmund Pendleton, John Marshall, and Archibald Stuart, agreed that the Constitution should be submitted to the voters for approval on the first Monday of June 1788 (Fitzpatrick, *Writings of Washington*, 29: 327–28). In an effort to quell rising opposition, which was strongest in New York and headed there by Governor George Clinton, Alexander Hamilton urged James Madison and John Jay to defend the Constitution in a series of essays that appeared in New York newspapers. The essays, eighty-five in number, appeared between Oct. 27, 1787, and May 28, 1788, and were widely reprinted as *The Federalist Papers*.

3. Letter not found.

## To Jacob Jordain

Elizabeth Town [6] December 1787

Sir

I received your Letter of the 26 October<sup>1</sup> last night. It is rather your politeness than the necessity of the thing that induced you to apologize for giving me so agreeable a commission as that of enquiring concerning the education of your son in Princeton: A commission Sir which you may depend upon my discharging with the greatest alacrity. I must however confess that I am not clear whether the best method of doing it is this one you mention of sending for him to my house & examining him. This might give umbrage both to Dr. Witherspoon<sup>2</sup> & Dr. Smith<sup>3</sup> as appearing like too great an interference with their department & a suspicion of their fidelity. I shall therefore (& only for the reason just assigned as I am sure I should be glad to see the young Gentleman at my house both for your & his own sake) at present apply for that purpose to Dr. Beatty<sup>4</sup> at Princeton who is a particular friend of mine & very good scholar & who can without giving the least offence reduce to a certainty what you wish to have investigated. It is moreover very probable that during the course of this winter I shall have occasion to pass thro Princeton & if so you may depend upon it that I shall make it my particular business to halt as long at that village as is necessary to enable me to form the best Idea I can of his genius & capacity. It is Sir so natural for a parent of reflection to be solicitous about the Education of his children that instead of considering your request respecting the little Gentleman in question as in the least troublesome it has added in my estimation to the amenable character I have ever had of you (tho' personally unknown to me). But with respect to the dead Languages I must take the liberty to differ from you in sentiment as to one of them. The Hebrew indeed I do not know what occasion any man can have to

be acquainted with except the Jews & they appear to me to be able to cheat in any other & the Divines to comment upon the Old Testament the greatest part of which is written in that tongue. Relative to the Greek it is not of much greater utility. It may indeed be the pride of some men to be able to read Homer as it may be that of others to read Don Quixote in the original & it is doubtless of real use to a Divine because the New Testament is principally written in it. To the medical faculty it may also be of service because most of their technical terms are derived from it, by the virtue of which said *terms* I presume that upon a fair computation they kill five for one they cure. But as to the Latin language Sir, I am of a very different opinion. Of that I would commend it to every Gentleman to make his son compleat master. Among many other reasons I have for this I will assign some. 1st Children tho' not equal to men in Judgement are generally superior to them in memory. At this time of life therefore they are to be taught what requires no maturity of Judgment but what [ . . . ] Depends upon memory as languages 2d the latin language being the [ . . . ] of most of the present best dialects of Europe, a Child while studying the Roman classics may with great truth be said to be learning the Spanish the Italian the Portuguese, the French, the Lingua Franca,<sup>5</sup> & the English. For all those have undoubtedly so great an affinity with the latin as that ones acquaintance with the former will enable him to acquire the latter in half the time that otherwise he could have done. 3d that by studying the Roman Authors they not only learn that language but imbibe such principles of public virtue & patriotism (things that people laugh at [in?] England) as perhaps they would not so early draw from any other sources & probably never acquire during the remainder of their lives. For these reasons Sir I would dissuade you from ordering your Son from the study of the latin language<sup>6</sup> tho' even this must more or less depend upon his genius of which I shall be able to give you a more particular account when I have the honour of transmitting to you Dr. Beatty's opinion or my own after having a personal intercourse with him. If I have tried your patience with so long a Letter you will be so kind as to ascribe it to the garrulity of old age & a promptness to serve a gentleman who to all his other good qualities adds that of his Solitude about the Education of his children which [ . . . ] to & perhaps in preference of the ample fortune he is able to leave them will prove to them a better patrimony than a Croesus could leave his children with minds

unimproved & destitute of knowledge. Whenever Sir you may find occasion to honor me with the continuation of your correspondence I beg you not to apologize for the trouble you may apprehend that any thing can give me in which it may be in my power to serve you but that on the contrary in the List of your real friends & humble servants you would be pleased to insert the name of

W.L.

Lcy, MHi. Sedgwick transcription.

1. Letter not found.
2. John Witherspoon.
3. Samuel Stanhope Smith.
4. John Beatty.
5. Lingua Franca: a common language formed by Italian mixed with French, Spanish, Greek, and Arabic and spoken in Mediterranean ports.
6. For WL's most recent encouragement of Peter Augustus Jay to study Latin see WL to Peter Augustus Jay, Feb. 23, 1787.

### To George Clinton

Elizabeth Town 8th December 1787

Sir

It being represented to me that James Abeel who was lately confined in the common Jail of the County of Bergen in the State of New Jersey for several criminal & civil actions,<sup>1</sup> has made his escape & is now in the City of New York, having fled from justice in this State, It is my duty according to the 4th Article of the Confederation,<sup>2</sup> as the Executive power of the State from which he fled, to demand him to be delivered up in order to have him removed into this State having jurisdiction of his offences; & I do in consequence thereof request of your Excellency to have him delivered to the bearer hereof Peter Ward Esquire who is Sherif of the said County of Bergen, from whose custody the said Abeel made his escape. I have the honour with great Esteem to be Sir your Excellencys most obedient & most humble Servant

WIL: LIVINGSTON

ALS, NN.

1. In December 1786 a Bergen County Court of Oyer and Terminer indicted James Abeel for fraud and fined him £500, a sum that Abeel claimed he was unable to pay. On Sept. 4, 1788, the council, probably in recognition of Abeel's wartime services as deputy

quartermaster general in the continental army, recommended that WL pardon Abeel (*NJA* [Privy Council], 283). See also vol. 3: 189, 461.

2. For previous reference to the extradition clause in the Articles of Confederation, see George Clinton to WL, July 9, 1785, n. 4.

## To Henry Brockholst Livingston

Elizabeth Town 11 December 1787

Son Brockholst

It is not in my power to acquaint the Executors of your late Uncle & my brother Philip Livingston<sup>1</sup> what is the ballance due to me from his Estate.<sup>2</sup> I am (have) been careless in crediting the sums which my nephew his son Philip has paid upon the two bonds from his father to me since his removal from Jamaica to New York.<sup>3</sup> All I can say is that by his own statement of the account which now lies before me after debiting me to his father's Estate for some sugar I had of him & charging himself & so debiting me for 153.14.[8] cash to be paid to Mr. Jay he says there remained due to me in November 1775 the sum of £1600 of this capital he promised to pay by instalments a certain sum annually, which I am persuaded he has done tho' the amount of it I cannot recollect.<sup>4</sup> But as he was an accurate merchant I doubt not his books & receipts (the same having been paid to you & Mr. Jay & wholly accounted for to me) will fully shew & by that means the ballance still due to me, be easily ascertained. And as I never pressed my brother for either principal or Interest because I knew that he had contracted a considerable debt for the advancing his son in the purchase of an Estate in Jamaica (which I sincerely regret that he was so soon deprived of enjoying by death) & having lost all the Interest of the Interest for a number of years & as one of his Representatives is a Divine<sup>5</sup> according to the Hydelbergh Catechism<sup>6</sup> (which being established by human theology must be the most unquestionable theology) which never pretended to prove that the vaguery of a human Legislature had a dispensing power as to any part of the Decalogue nor to reverse the precept of doing to others as we would that others should do to us, I hope they will do me such justice as soon as they can any political knavish laws to the contrary thereof in any wise notwithstanding.

Lcy, MHi. Sedgwick transcription.

1. The executors of Philip Livingston's estate at the time of his death in June 1778

were his wife Christina, Abraham Ten Broeck, and Walter Livingston (Berthold Fernow, *Calendar of Wills on File and Recorded in the Offices of the Clerk of The Court of Appeals, of the County Clerk at Albany, and of the Secretary of State, 1626–1836* [Albany, 1967], 243).

2. For earlier mention of WL's demands against the estate of Philip Livingston see Henry Brockholst Livingston to WL, June 19, 1784.

3. For Philip Philip Livingston's removal from Jamaica to New York see WL to John Livingston, Aug. 22, 1782, 4:459–60.

4. For Philip Philip Livingston's account see his letter to WL, May 19, 1785.

5. Rev. John H. Livingston, the nephew and son-in-law of Philip Livingston by his marriage to Philip's daughter, Sarah, was a noted Dutch Reformed clergyman.

6. The Heidelberg Catechism, formulated in 1563 and adopted by the Synod of Dort in 1609, forms the basis of Dutch Reformed doctrine.

## To Joseph Hugg

Elizabeth Town 2[2]d December 1787

Sir

In answer to your Letter of the 15th instant;<sup>1</sup> I shall be glad to see you at my house this winter or at any time; But my purpose of superseding all the delinquent surrogates I shall not recede from except that in particular friendship to you I will give you a month longer to settle with Mr. Reed<sup>2</sup> than I mentioned in my last Letter<sup>3</sup> to you which will extend the term to the third of March. Your trusting people for what they want out of your office instead of insisting upon ready money is the very grievance I complain of & if that was to be admitted for an excuse, such excuse would never be wanting. And even if it was "impossible" as you say to know that the parties have the money to pay the fees at the time of doing the business (which [is] far from being the case because you might tell them before you did the business that you must have the ready cash as you are accountable to another who will not give you credit) yet you might refuse the delivery of the papers when finished unless the applicant paid the fees in which case I am persuaded that the poorest man in Gloucester County would find the money rather than go without them.

And indeed you give me but poor encouragement of settling even during the course of this winter by mentioning the "making a discharge as far as is in your power." It is certainly in your power at any time to pay Mr. Reed that part of the fees received by you which belongs to him & as certain that any surrogate who either does not receive them at the time of doing the business or having received them appropriates his

constituents part to his own use is not a proper person to be employed in that Station. The time above [preferred?] Sir, is my *ultimatum* nor can I think of carrying on an epistolary correspondence with the surrogates upon this subject. I am

Lcy, MHi.

1. Letter not found.
2. Bowes Reed.
3. See WL to William Livingston, Jr., Samuel Dick, and Joseph Hugg, Dec. 3, 1787.

### To William Livingston, Jr.

Elizabeth Town 22d December 1787

Son William

Whatever may be the reasons for your being so far in arrears<sup>1</sup> to Mr. Reed<sup>2</sup> in Surrogate (though those you have assigned are by no means satisfactory because utterly improbable) this is intended to remind you of my resolution to carry into execution my intentions respecting all the delinquent Surrogates signified to you in my last letter<sup>3</sup> & should they be carried into effect with respect to you, you will have nobody to blame but yourself.

Lcy, MHi. Sedgwick transcription.

1. For William Livingston, Jr's explanation of his being in arrears due to "unforeseen events" refer to William Livingston, Jr., to WL, Dec. 3, 1787 (MHi).
2. Bowes Reed.
3. See WL to Joseph Hugg, Dec. 2[2], 1787.

### To Bowes Reed

Elizabeth Town 24 December 1787

Sir

From the inclosed to Capt. Hugg which I therefore leave open for your perusal you may collect the substance of his answer to mine of the 3d December.<sup>1</sup> After having read it please to seal & forward it. If he does not comply by the time limited I am a [ . . . ] determined to supersede him. From Colonel Dick I have received no answer & fear my Letter to him may have miscarried I inclose a duplicate.

My Son promises to settle with you before the time tho' the reasons he offers for not having done it before appear to me to be frivolous.<sup>2</sup> Mr. Dean also makes me fair promises. I shall not quit the Scent until I bring them to a settlement.

Lcy, MHi. Sedgwick transcription.

1. See WL to Joseph Hugg, Dec. 2[2], 1787.
2. See WL to William Livingston, Jr., Dec. 22, 1787.

## To Sarah Jay

Elizabeth Town 8 January 1788

My [dear?] Sally

I am greatly obliged to you for your trouble in procuring me the [ . . . ] fish.<sup>1</sup> It is a very fine one & as it is frozen I intend to keep it in that condition & tomorrow to regale mamma & myself *sola cum [solo?]*<sup>2</sup> on its head. On Thursday next we expect some company from Newark to dine with us (for here also we little folks mimick the beau monde at New York)<sup>3</sup> & then the ladies may have a Merrimake on its tail, tho' whether it will furnish them with whalebone<sup>4</sup> for which reason my Lord Coke<sup>5</sup> says the tail of the whale which is royal is by law appropriated to the Queen while the head is allowed to *his* Majesty<sup>6</sup> (whether to put more sense into his head he saith not) I as greatly doubt as I do that the tail of that royal fish furnishes any whale bones. The Knight in that instance only mistook for the tail for the head, as most of the Englishmen who come to America seem not to know the one from the other till after having served a seven years apprenticeship amongst us,<sup>7</sup> they exhibit some tokens of *common sense*. I enclose for Peter a letter in Latin<sup>8</sup> which I wish him to answer in the same language by which means I shall know his progress in that branch of his studies. I may perhaps have a partiality for this Boy in one way, I hope you are not partial towards him in another of which to be frank with you I have had my jealousies & it has given me no small grief to have my mind impressed with that Idea. Whatever little faults he may have (& who is not faulty in something) he certainly is a most promising youth & I doubt not he will hereafter be an honour to you as well as to me.

I am glad you did not buy the barrels of zounds & tongues<sup>9</sup> because it would not only be more than we could use but because the chance by

which the owner of it said would be against their being good tho' I exceedingly regret that I did not look out for them in due season, considering how excessively fond I am of them & how greatly I am disappointed in fasting after the manner of the Roman Catholics by feasting upon fish.

Mrs. Linn's suit against her husband<sup>10</sup> (rather a worse man than she is a woman) is now in a fair way of being brought to a speedy period. For after having for some years studied every step in his power to prevent the cause from being brought to a hearing & after having at length put in his answer nearly for the sake of abusing the family & in some small parts of which he has notoriously forsworn himself, he has finally given up all contest about his obligation to allow her a separate maintenance & agreed by a rule of Court to refer the quantum of her alimony to Mr. Paterson<sup>11</sup> Frelinghusen<sup>12</sup> & Abraham Ogden who are to settle the matter the latter part of this month & also I am persuaded will report a greater sum than either Molly<sup>13</sup> or any other of the family have ever proposed to him for that purpose. My best respects to Mr. Jay. P.S. I should be much obliged to Mrs. Taylor for procuring me a little colly flower seed<sup>14</sup> for my hot bed. If she applies to Mr. Archer nearly opposite to the house of Mr. Walton's where the bank<sup>15</sup> was lately kept with my compliments to him, it is possible that he may not cheat me with bad seed as most of his profession do.

Lcy, MHi. Sedgwick transcription.

1. For a previous request for fish see WL to John Jay, Sept. 25, 1787.
2. *sola cum solo*: one with one.
3. The Jays were among the socially dominant group of New Yorkers who were setting an elitist tone with lavish dinner parties.
4. Whalebone was used to stiffen women's corsets and dresses.
5. Sir Edward Coke, *The First Part of the Institutes of the Laws of England* (1628).
6. Since the reign of Charles II, the whale was considered "a Royal fish." Any person who wanted to fish for whales had to apply for a license and in addition give the king a one-fourteenth part of the oil and bone. These payments had been a continued source of contention between the home government and the colonists, as the latter escalated their attacks on the prerogative power of the crown. For opposition of colonial New Yorkers to the measure see O'Callaghan, *New York Colonial Documents*, 5:474–75, 480, 498, 501, 505, 510.
7. Seven years was the term for apprenticeship, and the number of years of the War for Independence.
8. For the most recent mention by WL of the importance of studying Latin see WL to Jacob Jordain, Dec. [6], 1787.
9. For an earlier request see Susannah French Livingston to WL, Nov. 18, 1786.

10. For the most recent mention of the Linn suit see WL to Robert L. Hooper, Oct. 4, 1787.

11. William Paterson.

12. Frederick Frelinghuysen.

13. Mary Livingston Linn.

14. Colly flower: cauliflower.

15. In 1784 a movement for a New York land bank had been started by Chancellor Robert R. Livingston. Mercantile interests led by Alexander Hamilton, fearing domination of the money markets by landed interests, developed plans for the Bank of New York. It opened in the former mansion of William Walton at 156 Queen Street, later known as Pearl Street. In 1787 the bank moved to 11 Hanover Street.

## To George Clinton

Elizabeth Town 9 January 1788

Sir

I do myself the honor of acquainting your Excellency that the State Convention of New Jersey has unanimously ratified the federal Constitution,<sup>1</sup> and am With the highest respect your Excellency's most obedient and very humble Servant.

WIL: LIVINGSTON

ALS, NN.

1. New Jersey, whose convention met on Dec. 18, 1787, was the third state to ratify the Constitution. For previous mention of New Jersey's convention see WL to Jedidiah Morse, Nov. 1, 1787 and n. 7. For Clinton's opposition to the Constitution see WL to Ephraim Harris, Dec. 3, 1787, n. 2.

## To Matthew Ridley

Elizabeth Town 9th Jan. 1788

Dear Sir

I am sorry to hear of the numerous misfortunes & disappointments you meet with; but never mind it!<sup>1</sup> Tho' I believe poverty to be really disagreeable, I am persuaded that riches have their inconveniences. The wisdom of ages & especially the sacred Oracles have taught us to believe that a mediocrity or middle state between those two extremes is the most eligible; & *that* you have a fair prospect of being blessed with. I thank you heartily for the Ale, It is to my taste, the most agreeable li-

quor of that kind that ever I drank. Sukey<sup>2</sup> wishes me in her Letter to her Mamma to discharge Mr. Blanchard's<sup>3</sup> account against you, which I shall do with the greatest alacrity; & you need not give yourself any concern about repaying me because I shall put to Kitty's<sup>4</sup> account.

You talk, you young rogue you, about Mrs. Livingston's writing you! Dont you know that you & Kitty owe us a visit in virtue of my jaunt to the Susquehanna last Summer?<sup>5</sup> There is a female citizen of New Jersey at Baltimore<sup>6</sup> who has perhaps forgot that she left an old Mother in this State very solitaire & without a single companion in petticoats. With my love to her & Mrs. Ridley I am yours affectionately

Lcy, MHi. Sedgwick transcription.

1. WL, while understanding of the economic misfortunes of his son-in-law, was highly critical of his own son's money problems. See, for instance, WL to William Livingston, Jr., Dec. 22, 1787.

2. Susannah Livingston.

3. John Blanchard.

4. Catharine Livingston Ridley.

5. For WL's visit to the Ridleys see WL to John Jay, Sept. 4, 1787.

6. WL is referring to Catharine, his daughter and Ridley's wife.

## To Bowes Reed

Elizabeth Town 12 January 1788

Sir

I have lately (on the 29th December) committed to your care a Letter to Dr. Dick [Lamothe?] to Colonel Hugg<sup>1</sup> respecting their Delinquency in accounting with you as Surrogate of their respective Counties; & I mean it as the last application that I shall make to them upon that subject. If you should not have received the Letter in which I inclosed them I wish you would so inform me because in that case I would send them a duplicate as I would give them all the fair play in the world before I would carry into execution my therein declared purpose of superceeding every delinquent Surrogate who continues so to be by the time I have pref[ . . . ].

Relative to my Son, I have not only written to him the like circular letter that I have sent to all the rest on your List but have moreover sent him a Letter on the 22d of last month<sup>2</sup> signifying to him that the reasons he assigned for not having accounting to you an answer to my cir-

cular Letter were by no means satisfactory & that should my Intentions respecting the finally delinquent Surrogates be carried into effect as to them he would have no body to blame but himself. As notwithstanding all this, I have my apprehensions that he will not be punctual and I am determined that if he is not I will be so impartial as to supersede him with the rest of his delinquent Brothers, which will not only be very disagreeable to me, but a particular mortification to his Mother & Sisters (who solicited me to confer on him that office which I was disinclined to do for fear of his not duly executing it) I have the favour to request of you that you would write him a few lines to the following purpose, which may perhaps Save his reputation & my honor. I dont mean that you are to write him in the very words which I shall dictate—but intending it only as the substance of what I wish you to communicate to him, either in harsher or softer terms as you shall think proper & as I have some hope that such a Letter from you will have some effect upon him I shall really take it as a proof of your friendship to me to comply with this my request. The substance of the Letter I would wish to be as follows. vizt.

Sir

After having frequently mentioned to his Excellency how much both he & myself suffered by the County Surrogates not regularly settling their accounts with me he at last insisted upon my giving him a list of all those who were in arrears. Such list I have accordingly delivered him. In consequence of this he has acquainted me that he has written to all the Delinquents that unless they pay me their arrears by the third of february he will superseed them. As I know him to be punctual in business & impartial in his office as I also know that it will at the same time be disagreeable to him to give a demonstration of his impartiality by superceeding you. Should you not by that time have settled with me (of which he insists upon my report to him) I would wish you Sir in order to save him that morification to settle with me by the period he has fixed for that purpose & to determine not to be arrear thereafter

Something of this kind I should be glad my dear Sir you would write to him, because you must needs feel for me upon this occasion considering how disagreeable to me must be either of the two extremes to turn him out to prevent any imputation of partiality or to keep him in to oblige his Mother & relations subject to such imputation; tho' if he does not upon such a Letter from you or one of a similar nature comply with

the demands of my said Circular Letter I am at [present?] persuaded that I shall make him an example with the rest of the Delinquents. *Fiat justitia & perial mundus*<sup>3</sup>

Lcy, MHi. Sedgwick transcription.

1. Letter not found but see WL to Bowes Reed, Dec. 24, 1787.
2. See WL to William Livingston, Jr., Dec. 22, 1787.
3. *Fiat justitia & perial mundus*: Let justice be done.

### To Dr. John Witherspoon

Elizabeth Town 12 January 1788

Dear Sir

I have lately received a Letter from Mr. Jordan<sup>1</sup> of Montreal informing me (after a very polite apology for so doing) that he has a son at Princeton school residing with Mrs. Livingston<sup>2</sup> a distant relation of his Mother. That he has no doubt of the care of his Preceptors in doing justice to the Boy, but that I must be Sensible something more is necessary at his age 12. That he has been there 2 years & that he (Mr. Jordan) is too distant to attend to his progress, & see to what particular studies his genius points. That he thought him rather dull when young & that he may be losing his time in studying the dead languages, when it might be turned to more useful accomplishments; & then concludes with adding "If a stranger may presume to ask you the favor to do him the honor to send for the Boy & try his Genius and confer with Dr. Witherspoon upon the subject at some leisure hours, it will be one of those duties that I am inclined to think will be pleasing to a Gentleman of your [Urbanity?]. I call it a duty in the philosophic sense of the word but it will ever be acknowledged by me as an honor & most singular favor."

Considering, Sir, how natural it is for Parents (I mean parents that really have a proper regard for their Children) to be solicitous about their education: that Mr. Jordan is one of the most respectable characters in that part of the British Dominion & that the collidge of New Jersey ought to embrace every opportunity of increasing the numbers of its students from foreign parts by a courteous conduct towards strangers, I feel myself most cordially disposed to comply with that Gentleman's request. But I have forgot too much of the Greek Grammar

to be a proper judge of the lad's progress in that language. Of the Latin I think I still retain enough to form a Judgment of another's knowledge of it. If therefore you think proper to send the Boy to me for Examination upon that branch of his present Studies, I shall be glad to see him. But as I doubt that his father will as fully acquiesce (without it[ . . . ]) your report of the Matter to me not to mention the inclemency of the season I submit that entirely to you & should be greatly obliged to you for giving me your opinion of little Mister Jordan's genius & progress in his studies as speedily as you conveniently can.

Lcy, MHi. Sedgwick transcription.

1. Jacob Jordain. Letter not found. For WL's response see WL to Jacob Jordain, Dec. [6], 1787.

2. Possibly Mrs. Elizabeth Livingston.

## To John Jay

Elizabeth Town 14 February 1788

Dear Sir

I received yours of the 11th<sup>1</sup> last night & am much obliged to you for the sallad seed that accompanied it which is come very opportunely as I intend to begin with my hotbed in a few days. By your so generously offering to procure me any thing else that I may wish to have from New York I am encouraged to desire you to buy me a little cauliflowe seed which is not to be bought here & you know is never gathered in America.<sup>2</sup>

I greatly long to see you & Mrs. Jay at our hermitage. Mrs. Livingston & I have never spent so solitary a winter as the last since we were married. For fortnights together we have not been off from the farm & have had less company at our house than usual. It is true we are both reconciled to solitude beyond most people but too much of it is irksome. As you are so well confirmed in your health<sup>3</sup> I hope nothing but the badness of the present travelling will prevent your coming; & consequently when that obstacle is removed, I shall have the pleasure of Seeing you. For as to business, there never will be an end of that.

If you succeed in procuring the Keg of Cod's zounds & tongues<sup>4</sup> they will be very acceptable to me. I have *longed* so much for fish that I think it is a great mercy that a man cannot——child or in all probability my

maternal praying by the father's side (& that after the cruel Casarian operation) would at least have been a mermaid.

Peter need not be discouraged about sending me a Latin Letter.<sup>5</sup> A Boy may be so great a Master of Latin as to read almost any Roman classic & yet not be able to write the purest Latinity. And if his style should be less elegant than that of Francis Atterbury or Thomas Burnet,<sup>6</sup> I know very well that he is neither a Bishop nor a Doctor of Laws.

I am persuaded that he has a Genius for drawing, & am very glad to find that you think it worth cultivating. For the making of draughts of many objects that cannot be so clearly described by words it is of real use; consequently a valuable acquisition to a traveller, which I hope he will be when he is fit for it.

Lcy, MHi. Sedgwick transcription.

1. Refer to John Jay to WL, Feb. 11, 1788 (MHi).
2. Until the end of the eighteenth century, most nonindigenous foodstuffs grown in America were consumed rather than saved for use in reseeding. Cauliflower, while widely cultivated, was among the vegetables raised from imported European seed.
3. John Jay suffered frequently from a number of ailments, including rheumatism. Refer to Morris, *Unpublisbed Papers of John Jay*, 2:12ff.
4. zounds and tongues: salted codfish. For WL's most recent mention of zounds and tongues see WL to Sarah Jay, Jan. 8, 1788.
5. For WL's encouragement of Peter Augustus Jay to write in Latin see WL to Sarah Jay, Jan. 8, 1788.
6. Francis Atterbury was bishop of Rochester; Sir Thomas Burnet, son of Bishop Gilbert Burnet, was justice of the common pleas.

## From Henry Brockholst Livingston

February 20, 1788

Dear Sir,

Mr. Rutherford<sup>1</sup> has received another letter from Mr. Duncan<sup>2</sup> on the subject of the Lands in the possession of Klock.<sup>3</sup> Mr. Duncan seems to think it a matter worth attending to & that if he was properly empowered by the parties interested, either a compromise might be effected, or suits brought with a tolerable prospect of success—Of this however you might certainly be the best Judge. For my own part I have never seen such a state of the case as to form any opinion of my own respecting the propriety of bringing an Ejectment. If you can spare the time to favor me with such a state, you will oblige me extremely—and

should you think proper to join Mr. Rutherford in a power to Duncan, one shall be prepared for the purpose.

Doctor Livingston<sup>4</sup> has proposed to me to pay your demand against the estate of his late father in law,<sup>5</sup> in land to be appraised by persons chosen by the parties. The land he offers is either Baskenridge or some tenanted Farms in Hunterdon County as you like best. I informed the Doctor, I had no authority to act, & that it was a matter of much too great Consequence considering the Extent of your Claim, to give any advice or make any promises on the subject. He then requested the proposition might be made to You, which I promised him should be done, I am Sir, your very dutiful son,

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Walter Rutherford.
2. John Duncan.
3. George Klock. For the most recent mention of the dispute over WL's holdings in the Canajoharie Patent see WL to William Livingston, Jr., Mar. 6, 1787.
4. John Henry Livingston.
5. Dr. John Henry Livingston's wife Sarah was the youngest daughter of WL's brother Philip. For the most recent mention of Philip Livingston's Will see Philip Livingston to WL, May 19, 1785.

### From Peter Augustus Jay

March 10, 1788

Hail, dearest,

Having received you letter of January 6th,<sup>1</sup> written in the Latin language, which I have often read before I could understand it, for I am still very inexpert in Latin letters, this is the first letter which I have written in the same tongue, and I'm afraid that there are many mistakes in it, but I hope the next one will be better. I want to visit you often, but winter and my studies prevent me. I have many proofs of your love and thank you for all of them. I will try, by [my] effort and knowledge, to deserve this, so that I may always be worthy of your love. I rejoice that my foal is very healthy and spirited, her head in the perpetual motion in which she takes so much joy.<sup>2</sup> She is quieted by speech not by the will of her mistresses. Hail and farewell, dearest—

PETER AUGUSTUS JAY

ALS, NNC. Translation.

1. Letter not found. For the most recent mention of Peter Augustus Jay's writing in Latin see WL to John Jay, Feb. 14, 1788.

2. For the most recent mention of Peter Augustus Jay's horse see WL to Peter Augustus Jay, Mar. 29, 1786.

## To Matthew Ridley

Elizabethtown 10 March 1788

Dear Sir,

Suppose in reality that you & Kitty<sup>1</sup> & Essex<sup>2</sup> [ . . . ] & Mrs. J.<sup>3</sup> & Mr. Jay<sup>4</sup> & Peter<sup>5</sup> [ . . . ] should come to Liberty Hall next Cherry Time why then with what of my romping with some upon the piazzy<sup>6</sup> & shooting robbins with others out of the mazzard<sup>7</sup> trees & talking & walking with the Elder Boys & girls & their fathers & mothers round the Table I *pertest*<sup>8</sup> (as some Ladies say) that I would not exchange such a scene of happiness for any gratiss emotion of the grand Liquior.

Lcy, MHi. Sedgwick transcription.

1. Catharine Livingston Ridley.
2. Essex Ridley.
3. Sarah Livingston Jay.
4. John Jay.
5. Peter Augustus Jay.
6. piazzy: piazza, the veranda or porch of a house.
7. mazzard: wild cherry tree.
8. *pertest*: protest.

## From Henry Brockholst Livingston

New York 12th March 1788

On my return from Poughkeepsie last Evening, I was favored with your Letter of the 1st Instant<sup>1</sup>—considering the glorious uncertainty of law, you act the most prudent part in not consenting to Ejectments being brought against Klock<sup>2</sup>—However good your right may be, a recovery would be very problematical & the Expense considerable—Tho' from your State of the case I cannot conceive on what Expectation suits were to be brought—let who will be in possession; I should suppose that your [ . . . ] would operate as an [estoppel?] to your right, and that the

defendant could not set up a better defence than by shewing title in the Indians under your Conveyance, altho they themselves should be without a grant from the latter.

On the subject of Doctor Livingston's<sup>3</sup> proposal I am at a loss what to say. He tells me they have no cash in hand, nor the most distant prospect of raising any. At present there are no acting Representations to your late Brother Philip—Since the decease of his Son,<sup>4</sup> the others of the family have been backward in taking out Administration de bonis non,<sup>5</sup> until they would know the disposition of some of the principal Creditors. Similar overtures to those made to you have been laid before other Creditors & when their answers are known Dr. Livingston & Dr. Jones<sup>6</sup> mean to become Administrators with the Will annexed—A Law passed in 1785 vesting the real Estate of Uncle Philip in Trustees for the payment of his debts who with the Administrators are authorized to execute deeds that shall ban even the Minors claiming under him. But as this Act cannot operate as to the land in New Jersey, it is proposed that some person shall administer there also. Whether an Administrator can dispose of land in your state, you best know—with us they cannot without the Aid of the Judge of Probate. The deviser will join in the fate and I presume enter into a personal warranty if they expect any person to take the land. The farms to be conveyed are in Hunterdon County and Baskingridge. Your brother held them by a sherriff's deed under a judgment obtained by John R. Myer against Lord Stirling. The particular situation of the farms—their extent—the names of the tenants and the rents they pay, Is not know[n] but will make the necessary Inquiries & acquaint you of the result—you should certainly be informed on all these points before you can give a definite answer.

Mr. Bray<sup>7</sup> behaves extremely ill with respect to the Costs due to You from the Van Hoosens. He has made me many promises but observed none. I do not believe there is much likelihood of getting any cash from that quarter—I will try to procure a bond which as you observe will liquidate the debt and put it at Interest.

The Westenhook proprietors<sup>8</sup> seem to have as little Inclination to pay as the Van hoosens<sup>9</sup>—James Abeel,<sup>10</sup> who was the acting man has been a long time in jail & has at length come out Insolvent—Without Coercion. I do not believe you will ever receive a sixpence from that quarter.

I have received the Assignments you mention—& as difficulties are made, and I should not be surprised if we are again driven to a suit on

this mortgage. We may thank Lady Stirling for this Embarrassment, which will profit her nothing.<sup>11</sup> Give my best love to mamma. I hope you both enjoy health—and am you affectionate and dutiful son.

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Letter not found.
2. George Klock. See Henry Brockholst Livingston to WL, Feb. 20, 1788.
3. Dr. John Henry Livingston. See Henry Brockholst Livingston to WL, Feb. 20, 1788.
4. Philip Philip Livingston had died in New York City on Nov. 2, 1787.
5. de bonis non: of goods not already administered.
6. Dr. Thomas Jones.
7. John Bray.
8. The Westenhook lands were located astride the controversial New York-Massachusetts border, north of Livingston Manor. Due to the border controversy, the patentees were unsure of valid titles. Unable to sell his shares, it appears that WL surrendered them to Massachusetts prior to his death in 1790. For the most recent mention of the Westenhook Patentees see WL's second letter to John Tabor Kempe of Feb. 10, 1787, n. 11.
9. For a discussion of the Van Hoesens see Henry Brockholst Livingston to WL, June 19, 1784. n. 7.
10. For an account of the James Abeel affair see WL to George Clinton, Dec. 8, 1787.
11. This is a reference to the demands of Sarah Livingston Alexander, Lady Stirling, against the estate of her father-in-law, Philip Livingston, second manor lord. Refer to the Will of Philip Livingston, July 15, 1748 (*Abstracts of Wills on File in the Surrogate's Office, City of New York, 1665–1800*, Liber 16, 461). For disputes over Philip Livingston's estate see Peter Van Brugh Livingston to WL, Oct. 6, 1785.

## To Jedidiah Morse

Elizabeth Town 9th May 1788

I have read your introduction with attention;<sup>1</sup> & can say, (without a compliment) with great pleasure. On the most careful perusal of it, I do not find any part of it that I am capable of altering for the better. Indeed for the size of it, I think it the most comprehensive compendium upon that subject, I ever met with. I will however submit to your consideration a meer verbal alteration in the 4th page. As the star *Herschel* is still only known to but a few, the introducing it as you do, will to most readers appear abrupt; & perhaps, without a considerable pause be unintelligible. I would therefore, instead of saying, *Herschel was discovered in 1782 by [etc.?] propose to insert in the room of it the lately discovered star Herschel was first observed in 1782 by [etc.?]*<sup>2</sup>

In the first line of the first page, I would prefer *the knowledge of Geography* to *the knowledge of this Earth*; for though they are in great measure, synonymous terms (geography, according to its etymology, signifying, *the knowledge of the earth*) yet as a technical term, it is appropriate to a more particular & circumscribed knowledge of the Globe, than so extensive a term as a *knowledge of the earth*, may, in common parlance, appear to comprehend, including, strictly speaking, not only a description of the surface of the Globe, but all its subterraneous matter, as Boles,<sup>3</sup> [ . . . ] [ . . . ], Clays etc., and also the present world as applied to the future; & particularly the ground turned up in tillage; in the better sense of which, it is constantly used by the writers upon Agriculture: & in all which senses, *Geography*, I presume, in the common acceptation of the word, has nothing to do, with *the knowledge of the Earth*. I am Dear Sir your most humble Servant,

WIL: LIVINGSTON

ALS, CSmH.

1. For previous correspondence respecting Morse's *Geography* see WL to Jedidiah Morse, Nov. 1, 1787. For Morse's April 1788 visit to WL at Elizabethtown refer to WL to Morse, Dec. 30, 1787 (RH*i*), and Morse to Benjamin Trumbull, Apr. 15–23, 1788 (Ct*y*).

2. The supposed star Herschel was actually the planet Uranus, discovered in 1781 (not 1782) in England by Sir William Herschel. The planet received its current name in the nineteenth century.

3. bole: a type of fine clay, usually brown, red, or yellow in color.

## To Mathew Carey

Elizabeth Town 26 June 1788

Sir

I have received your Letter of the [ . . . ] instant,<sup>1</sup> & can assure you that I think the American Museum far superior to any [thing?] that has been Hitherto attempted in America of that [kind?]. I shall therefore, with the greatest [alacrity?] give it all the encouragement in my power. [I] shall also cheerfully sign the recommendation of which you have inserted the form in your Letter; though I should rather have [wished?] that instead of the words, *hardly attainable with* [ . . . ] *a publication of that kind*, it had been [ . . . ] [ . . . ] *better calculated to disseminate political agricultural & other valuable information than the generality of other essays*

*upon those subjects.* However as I do not think the alteration very material; & if it was, it being almost impracticable for you to make it, it being already sent abroad; I shall not object against signing the certificate in its present [form?] whenever it comes to my hands. And as I sincerely wish the Success of your undertaking, I shall at Different times supply you with some *fugitive pieces* of my own, leaving it however entirely to your own discretion, which of them to insert, & [which?] to return to me, as I have no particular attachment to any of them because they are mine, indeed I suppose that of what I published during the war, & some of which might afford amusement at present, I could not [ . . . ] at this [ . . . ] promise copies of above one in ten. This shews, in a strong light, the propriety of an observation in your introduction that a collection of such pieces, for posterity is a useful undertaking although I should think it vanity in me to presume that any of my publications deserved to be transmitted to future ages, yet I know that the compositions of others richly merit that honour. At any rate Posterity will be glad to see what was written & published during so momentous a crisis as our late conflict with Great Britain, & every thing in consequence of it till the final establishment of our Liberty upon the more solid hopes of the new federal system of Government.

I inclose you three pieces at present which you are at Liberty to return or publish as you think best, with the caption I have given them. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, MHi.

1. Letter not found.

### From Benjamin Franklin

In Council Philadelphia July 2nd 1788

Sir

Having received undoubted information from the County of Luzerne in our state that Timothy Pickering Esq. the Prothonotary<sup>1</sup> was in the night of the 26th ult. violently taken out of his house by persons unknown being painted like Indians,<sup>2</sup> and as they will probably elude the pursuit of a party of the inhabitants by passing into your state, we request your Excellency's aid and authority may be interposed for ap-

prehending and bringing the Villains to Justice. I have the honor to be with great Respect Your obedient and very humble Servant

BENJAMIN FRANKLIN

LS, PHarH.

1. prothonotary: chief notary.
2. Pickering was the subject of much abuse by Connecticut settlers in Luzerne County. The Connecticut men were infuriated with authorities in Pennsylvania, whom Pickering represented, over jurisdictional and land rights.

### From Joshua Lathrop

Norwich July 10 1788

Sir

Although I had the happiness of being at Colledge with you two years yet being of the lower Class<sup>1</sup> I never had the pleasure of much acquaintance with you, and I think I never have seen you Since you left Colledge; and I should not now make bold to write to you were it not that my Daughter Austin<sup>2</sup> has some expectation that it will be her fortune to live at Elizabeth Town. You may well think as She is an only Daughter, and very dear to her Parents, it is some what of a Trial to us to think of her being removed so far from us, although excepting the Distance, we have all reason to think that the agreeable Situation of Elizabeth Town *and the more agreeable inhabitants*, will greatly tend to make her happy. And I hope her conduct and Behaviour will be Such as to render her acceptable to the People and be loved by those who may become her intimate acquaintance.

Your Brother *John* & my *Brother*<sup>3</sup> were intimate acquaintance as well as Class mates, But they are gone the way of all flesh<sup>4</sup> & the places that once knew them will know them no more and as we Fit are far advanced in life, we may soon expect to follow them & that we may be prepared therefore shall be the prayer of Sir your most obedient & Humble Servant

JOSHUA LATHROP

P. S. I humbly congratulate you in that ten States have adopted the New Constitution & hope the other three will soon follow and that we yet may be a happy & united People.<sup>5</sup>

ALS, MHi.

1. Lathrop graduated Yale in 1743, two years after WL.
2. Lathrop's daughter married Rev. David Austin.
3. John Livingston and Daniel Lathrop graduated Yale in 1733.
4. Daniel Lathrop died Jan. 8, 1782; John Livingston died July 21, 1786. For reference to the death of John Livingston refer to Henry Brockholst Livingston to WL, July 22, 1786 (MHi).
5. Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut quickly ratified the Constitution. Organized opposition by the Antifederalists gained momentum in Virginia, New York, and Massachusetts. The convention of the latter state ratified the Constitution in February 1788 but only after instructing its future congressional representatives that they should work to enact amendments that would strengthen civil rights. Antifederalists in Maryland and South Carolina mounted only token opposition, and these states ratified the Constitution in the spring of 1788. The ratification of the nine states sufficient for the adoption of the Constitution was achieved on June 21 with New Hampshire's ratification, leaving New York, Virginia, North Carolina, and Rhode Island out of the union. Constitutional opponents in Virginia focused increasingly on the need for a Bill of Rights. When James Madison agreed to such a bill, Virginia ratified on June 25, 1788. In New York, Federalist Alexander Hamilton raised the possibility that if the convention failed to ratify, New York City would secede from New York State. Antifederalists were convinced that such a move was feasible and New York on July 26, 1788, voted for ratification. For previous correspondence on the ratification struggle see WL to George Clinton, Jan. 9, 1788.

## To Benjamin Franklin

Elizabeth Town, 14th July, 1788

Sir,

Your Excellency's Letter of the 2d instant<sup>1</sup> respecting the violent taking of Timothy Pickering Esquire the Prothonotary of the County of Luzerne in your State, out of his house, by persons unknown, being painted like Indians,—did not come to my hands till yesterday, or I should certainly have done myself the honour of having sooner acknowledged the receipt of it—I had not before, nor have I since, heard anything of that atrocious violence. Should I receive any intelligence of the Perpetrators of it being found in this State, your Excellency may depend upon my using every exertion in my power & consistent with Law, to have the offenders apprehended & brought to Justice, & for recovering that valuable citizen & good officer to his family and the service of his Country. With real esteem, Sir, I have the honour to be Your Excellency's most obedient & very humble Servant

WM. LIVINGSTON

*Pa. Archives*, 1st. ser., 2:336–37.

1. See Benjamin Franklin to WL, July 2, 1788.

## From Mathew Carey

Philadelphia, July 30, 1788

Sir

Your esteemed favour of the 26th ultimo<sup>1</sup> has just this moment come to hand. I am astonished beyond measure, at the very extraordinary delay—and cannot tell what to ascribe it to.

I return you my most sincere acknowledgements for the polite and friendly sentiments you are so kind to express of the American Museum, which I shall by every possible exertion endeavour to render worthy of the very favourable opinion given of it by the most distinguished Characters on the Continent.

Since I wrote to your excellency, it has occurred to me that a letter from each of the principal gentleman to whom I had written, would be better than a lone signature of the Recommendation. I have already procured one from General Washington, a copy whereof I enclose; & one, nearly similar, from the honorable John Dickinson, Esquire.<sup>2</sup>

Should your sentiments coincide with mine, I beg to be favoured with a short letter, as [extensive?] as possible of your opinion of the American Museum. This will, I am persuaded, render me infinitely more Service than the plan I originally proposed, & in which I have been so fortunate as to obtain your acquaintance.

The enclosures in your letter demand my thanks.<sup>3</sup> I request a continuation of your communications, to which I shall pay all the attention their reputation merits.

Some time since, I published Burgoyne's pompous proclamation—and having heard of your proposals for an exchange of that gasconading commander, I wrote to my friend, Mr. E. Hazard,<sup>4</sup> of New York, for a Copy, intending to introduce it with a bit of Commentary on the proclamation,<sup>5</sup> published at Saratoga, which I added therto. But he mistook my meaning, & sent me another piece on the subject. I remain, your excellency's most obedient & very humble servant.

MATHEW CAREY

P.S. With the Copy of Gen. Washington's letter, I enclose an extract from Mr. Dickinson's.<sup>6</sup>

The alteration in the form of the recommendations was suggested by Mr. Dickinson, agreeably to whose ideas it has been now modelled. I acknowledge a copy of that.

As I want by all means wish to publish the whole of the recommendation with the July Museum, which will be completed by the 8th of [ . . . ] you [ . . . ] sending an answer by *next post*, to avoid the very disagreeable delay experienced in the Carriage of your first letter.

ALS, MHi.

1. See WL to Mathew Carey, June 26, 1788.
2. Washington wrote at least twice to Carey during the summer of 1788, congratulating him on the publication of the *American Museum*. While willing to have his written work appear in the publication, Washington told Carey he did not have time to make a personal selection (Fitzpatrick, *Writings of Washington*, 30:7–8, 22–23).
3. Enclosures not found.
4. Probably Ebenezer Hazard.
5. See Parody on Burgoyne's Proclamation, [Aug. 26, 1777], 2:41–47.
6. Dickinson's letter not found.

## To Mathew Carey

Elizabeth Town 4th August 1788

Sir

I received the Duplicate of your Letter of the 30th July,<sup>1</sup> yesterday; but the original has not come to my hands, & consequently I cannot return you the inclosures which you say it contains.<sup>2</sup> Upon this account, & from the improbability that such a letter as you desire me to write would reach you before the publication of your next Museum,<sup>3</sup> I must defer it to be inserted in the succeeding one, for which purpose you shall have it sufficiently reasonable.

My Letter to you I delivered to Mr. Kollock<sup>4</sup> who had told me that he had frequent opportunities to send to you. Whether he or the person to whom he confided in has occasioned the delay you mention, I know not.

I wrote a piece in ridicule of Rivington's<sup>5</sup> lying Gazette in the form of a Newspaper, which at the time, afforded great diversion; & the republication of which, would I believe, be acceptable to the readers of

the American Museum. I have no copy of it; but I think it was printed in Mr. Dunlap's paper about the year 1777,<sup>6</sup> & as Printers usually keep a set of their News papers, if you can procure a copy of it from him and think it worthy of a place in your Repository, you have my leave to ascribe it to me as the author. I am Sir your most obedient & very humble Servant

WIL: LIVINGSTON

ALS, MHi.

1. See Mathew Carey to WL, July 30, 1788.
2. Enclosure not found.
3. The journal *American Museum*.
4. Shepard Kollock.
5. James Rivington was the publisher of *The Royal Gazette*.
6. WL's satirical attack on Rivington was printed in the Feb. 18, 1777, issue of the *Pa. Packet*. See "The Impartial Chronicle," [ca. Feb. 15, 1777], 1:226-39.

### To Mathew Carey

Elizabeth Town 8 August 1788

Sir

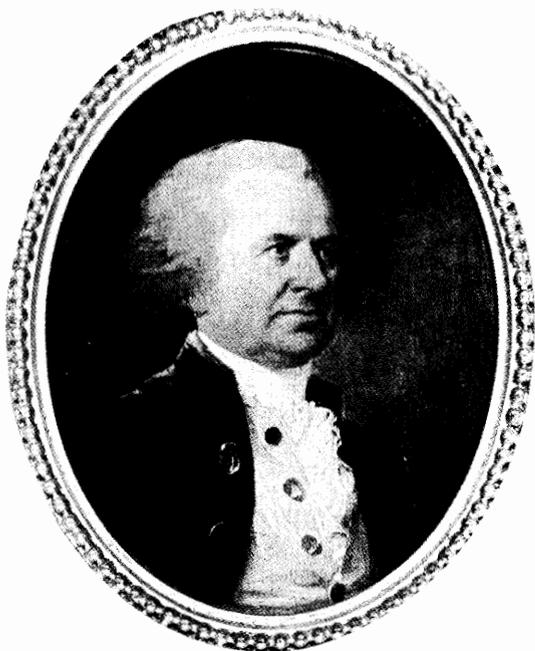
Yesterday I received the original of your Letter of the 30 July,<sup>1</sup> the receipt of the duplicate whereof I acknowledged by a few lines of the 4th instant.<sup>2</sup> I return you the papers it inclosed according to your request. I also cover in this letter my sentiments concerning your *Museum*, & if the publication of them shall prove of any advantage to you, or have the least tendency to promote that useful undertaking it will afford real pleasure to your most humble Servant

WIL: LIVINGSTON

P.S. I this moment received yours of the 7th instant;<sup>3</sup> & shall take your proposal<sup>4</sup> in consideration as soon as possible.

ALS, MHi.

1. See Mathew Carey to WL, July 30, 1788.
2. See WL to Mathew Carey, Aug. 4, 1788.
3. Refer to Mathew Carey to WL, Aug. 7, 1788 (MHi).
4. Mathew Carey wished to publish a "moral" periodical. Refer to Mathew Carey to WL, Aug. 7, 1788 (MHi).



Thomas Mifflin by John Trumbull. Courtesy of the Yale University Art Gallery. Mifflin's term as president of the Continental Congress from 1782 to 1784 convinced him of the necessity for a strong federal government. As a delegate to the 1787 Constitutional Convention, Mifflin helped frame the document that would guarantee such a government.



Philadelphia State House, engraving from an original by Charles Willson Peale, *Columbia Magazine*. Courtesy of the Historical Society of Pennsylvania. The meeting place for the Continental Congress until rioting soldiers forced it to flee in 1784, the State House, shown here as it appeared in 1778, was also host to the Pennsylvania Legislature. The Constitutional Convention convened here on May 25, 1787.



*Published Sept. 23d 1786, by J. Fielding, Printer, Nifter Row.*

Benjamin Franklin, after a portrait by Duplessis, published by J. Fielding. Courtesy of the Library of Congress. Among the delegates to the Constitutional Convention in 1787 was senior statesman Benjamin Franklin, who at age eighty-one represented Pennsylvania. Since his 1785 return from Europe, Franklin had served as president of Pennsylvania's Executive Council.



George Mason by D. W. Boudet, copy by John Hesselius. Courtesy of the Virginia Museum of Fine Arts, Richmond (on view at Gunston Hall, Fairfax, Va.). As a delegate to the Constitutional Convention, Mason, who opposed slavery, refused to sign the finished document because it failed to deal forthrightly with the slavery issue. Mason, who drafted Virginia's 1776 Declaration of Rights, insisted a Bill of Rights be included in the Constitution. His demands were met with the adoption of the first ten amendments to the Constitution.

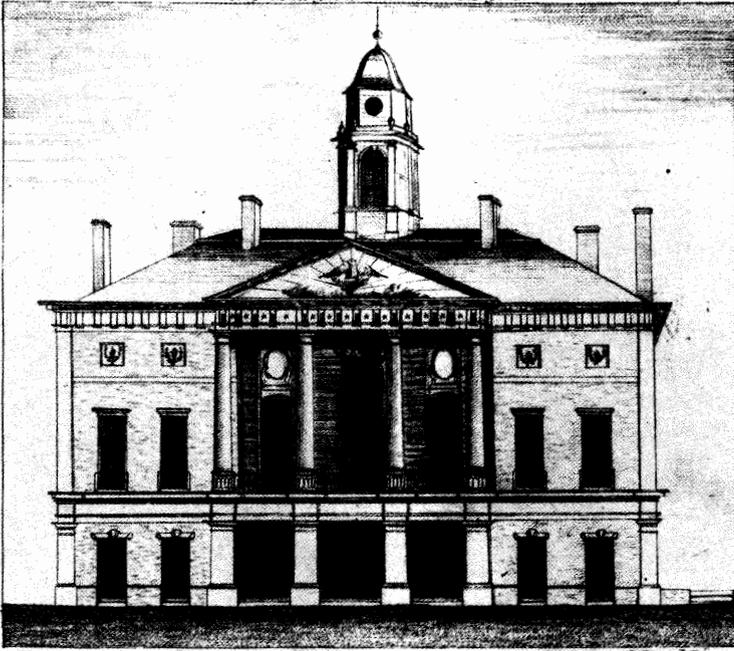


Alexander Hamilton by John Trumbull. Courtesy of The New York Historical Society, New York City. The only New York delegate to sign the Constitution, Hamilton was largely responsible for its ratification by New York through a series of essays, *The Federalist Papers*, written in collaboration with James Madison and John Jay. Hamilton served as secretary of the treasury after the organization of the new government.



George Washington at the Bridge at Trenton, engraver, T. Kelley, *Columbia Lady's and Gentleman's Magazine*, v.40: January 1848. Courtesy of the New-York Historical Society, New York City. George Washington's election as first president seemed to be a foregone conclusion at the Philadelphia Convention. On Apr. 21, 1789, Washington, on his way to his New York inaugural, was greeted by a group of flower-bedecked women and girls in Trenton at the Triumphal Arch, erected to commemorate his 1776 victory there.

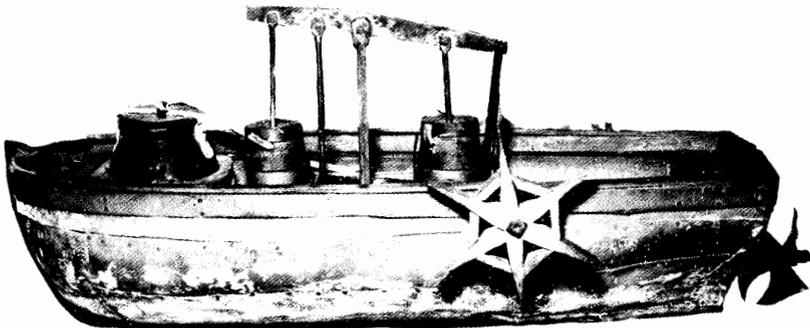
*Engraved for the New York Magazine.*

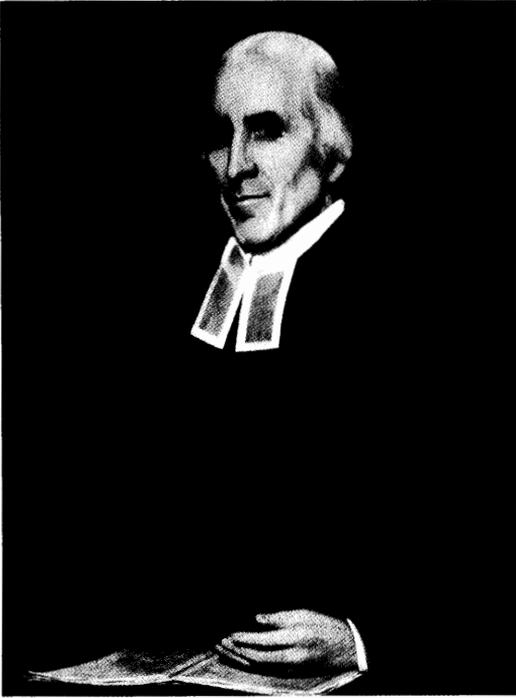


*PERSPECTIVE VIEW of the FEDERAL EDIFICE in the CITY of NEW YORK.*

Federal Hall, New York City. *New York Magazine*, March 1790. Courtesy of The New-York Historical Society, New York City. Washington reached Bridgetown, N. J., on April 23, 1789, where he boarded a barge that was rowed across New York Bay by thirteen pilots. On April 30 he was inaugurated as president on the balcony of New York's Federal Hall.

John Fitch's Steamboat, 1785. Courtesy of The New-York Historical Society, New York City. William Livingston early supported Fitch's experiments with steam. The first successful steam engine for ships was developed by Robert Fulton with the collaboration of William's cousin, Robert R. Livingston.

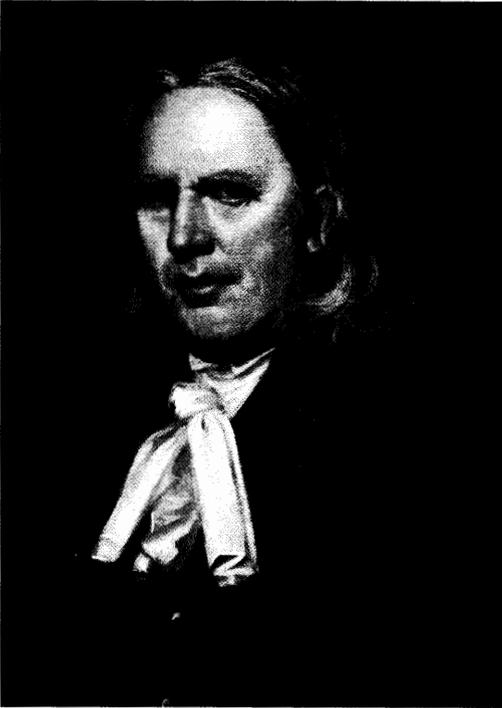




Jedidiah Morse, American school. Courtesy of The New-York Historical Society, New York City. William Livingston's interests extended to all phases of science. He was frequently consulted by Jedidiah Morse, often called the father of American geography, as Morse prepared his classic study *The American Geography*, published in 1789 and dedicated to the governor.



Robert Livingston, Jr., by Thomas McIlworth. Courtesy of The New-York Historical Society, New York City. The third lord of Livingston Manor, shown here in 1764, is best remembered for his bitter battles with the manor's tenants. Livingston died in 1790, shortly after the death of his brother William.



John Cleves Symmes by Charles Willson Peale. Courtesy of the Miami University Art Museum, gift from the members of the Board of Trustees and Friends, including John J. Rowe. Symmes, associate chief justice of the New Jersey Supreme Court, was also a land speculator who, in 1787, acquired two million acres of land in the Ohio territory. Symmes, who married Susannah Livingston in 1794, was instrumental in developing the Ohio frontier.



Catherine Ketteltas Livingston, artist unknown, after Charles F. J. F. St.-Menin. Courtesy of The New-York Historical Society, New York City. Married to William Livingston's son Brockholst against the wishes of the governor, Catherine Ketteltas apparently enjoyed a happy marriage until her 1804 death.



Judith Livingston Watkins by Charles C. Ingham. Courtesy of The New-York Historical Society, New York City. William Livingston's daughter Judith, born in 1755, is shown in this ca. 1825 portrait with her granddaughter Lucretia Elizabeth Hamersley.



Susannah Livingston Symmes, miniature, attributed to Charles Willson Peale. Courtesy of Mr. and Mrs. Arthur W. Schwartz. William Livingston's eldest daughter remained at Liberty Hall to care for her parents in their declining years. In 1794 she married John Cleves Symmes.



Catharine Livingston Ridley, miniature, attributed to John Ramage. Courtesy of Mr. and Mrs. Arthur W. Schwartz. Following the 1789 death of her husband Matthew, Susannah married her cousin John Livingston, son of manor lord Robert Livingston.



Sarah Van Brugh Livingston Jay, miniature, artist unknown. Courtesy of Mr. and Mrs. Arthur W. Schwartz. Although faded, this miniature nevertheless shows the fine features and regal bearing that led French theatre audiences to believe Sarah was Queen Marie Antoinette.

## From Henry Brockholst Livingston

New York 16th August 1788

Dear Sir

The enclosed letter<sup>1</sup> for Mamma was just now put into my hand.

I was absent on Staten Island when Mr. Jones<sup>2</sup> left your favor of the 7th Instant,<sup>3</sup> or I should certainly have been happy to shew him every civility in my power, or any other gentleman you may do me the honor to recommend to my attentions.

Congress have not yet finished the Ordinance for organizing the new Government.<sup>4</sup> The one lately under consideration has been rejected—but I can hardly doubt that the place of Meeting, about which alone there is any contest, will still be New York.<sup>5</sup> I am Dear sir, your very dutiful son

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Letter not found.
2. Possibly Robert Strettel Jones.
3. Letter not found.

4. On July 2, 1788, Congress appointed a committee of five to report an act implementing the new Constitution (*JCC*, 34:381–82). For a recent reference to the Constitution see Joshua Lathrop to WL, July 10, 1788 and n. 5.

5. By early August, many representatives believed the location of the new government should not be in New York City but more in the geographic center of the thirteen states (*JCC*, 34:367, 383, 397–98, 416–17, 456).

## To Mathew Carey

Elizabeth Town 19 August 1788

Sir

You may remember that in my last Letter to you which was of the 8th instant,<sup>1</sup> I informed you that I had that moment received yours of the 7th,<sup>2</sup> & should take your proposal into consideration as soon as possible. By your proposal (as I now find you made two) I meant that of your “design of another periodical publication almost wholly moral the plan of which is to abstract the Essence of all the valuable & [ . . . ] works

such as those you had mentioned above. Thus the Inhabitants (youth [ . . . ] of Carlisle, of Pittsburgh, of Kentucky, would be rendered familiar with the writings of an Addison,<sup>3</sup> a Steel,<sup>4</sup> a Hawkesworth,<sup>5</sup> a Johnson,<sup>6</sup> in a way best calculated to make a lasting impression.”

Though I now take up my pen for the express purpose of giving you my opinion upon this Subject; (and for your [merit?] in the cause of America, I can assure you there is not a man to whom I wish greater felicity) I am [really?] at a loss what to advise you respecting this enterprize. Of the plan itself as conducive to human happiness by diffusing extracts from moral writings, every body must approve. But how far in a pecuniary consideration of the matter (and as every man who does not take care of his own household is in Scripture declared to be worse than an infidel)<sup>7</sup> What is no [illaudable?] motive, it will answer your purpose, I am really at a loss to determine. As to the Inhabitants of Carlisle, I know little of their taste for *morality*, save that many of them have lately committed a devilish [act] against the adoption of our new form of Government,<sup>8</sup> by which they have in my mind, not shewn so great a relish for good morals as I could wish. And as to the Inhabitants of Pittsburgh & Kentucky, I believe that both & especially the latter would not readily subscribe for such serious & moral essays as must goad their consciences for having [deserted?] the interior part of the country for the sake of running away from public taxes & private debts & honest labour & the punishment of offences previously committed.<sup>9</sup> Many of these fellows live upon the [chase?] & are as perfect Indians as their more olive-coloured brethren of the Wilderness; & whether they have a greater relish for the writings of Addison or Steele, than a rattle snake has for green tea or double refined sugar, I much question. What I mean by all this, is only to inform you that I do not think myself a competent Judge of the expediency of your enterprize considered in the light of your expectations from it [ . . . ] to your own personal profit to which you undoubtedly have a right to advert, & in which being at the same time advan[ . . . ] of the [ . . . ] emolument I wish you the greatest success.

I do not wonder that the most respectable of your subscribers disapprove of your proposal of giving two or three of the most valuable Essays from the Spectator Adventurer Rambler<sup>10</sup> [ . . . ]. This set of your Readers have Libraries of their own. In those [ . . . ] the books from which you mean to extract. It is therefore natural for them to wish for

something entirely new, or the republication of those fugitive pieces that are worthy to be transmitted to posterity. For my [ . . . ] part, I should not disapprove of it because [I] Have so great a regard for Printers & especially for those who have [ . . . ] the heat and burden of the day with [ . . . ] the [ . . . ] can Struggle, & who do not turn the press into licentiousness, that I would rather sacrifice a particular [dish?] more agreeable to my [taste?] for one that I did like quite so well, but which [ . . . ] in the power of the Printer to procure, & who would probably have procured the other had it been equally in his power.

I inclose a Speech of mine to the Legislature of New Jersey, which being delivered at a very critical conjuncture, & when we were rather presented with despair than hope, has since been admired both in Europe & America (probably without deserving it) as a proof of honesty in the world of times.<sup>11</sup> At any rate on account of the disruption of the ravages of the enemy in our State, & the subterfuges of our Tories to varnish their defection from us, it may perhaps prove agreeable to posterity as one of those fugitive pieces which ought, for those reasons to be preserved from oblivion.

I also inclose a piece describing the duties of an assembly-man, by which, if our Legislators would regulate their conduct, I am persuaded we should have [ . . . ] [ . . . ] roguery than at present we are burdened with.<sup>12</sup>

I think you right in wishing to have your Museum<sup>13</sup> more Diversified with pieces of humour & more [ . . . ] than at present it is. The Gentleman you mention<sup>14</sup> was certainly an excellent hand at the former; & I am sorry for your sake as well as that of the public that his business prevents him from continuing to furnish that agreeable [ . . . ] meat for which he has so peculiar a talent.

[ . . . ] former part of my life, I could have supplied you with some pieces of that kind; but age & business, have, in great measure, blunted the edge of my inclination for gay & humorous writing. With moral essays however, I may perhaps in the hours of leisure be sometime [ . . . ] to trouble you; always leaving every thing I send to your own discretion to publish or not, as you shall think it more or less conducive to the success & [suitability?] of your *Repository*. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, MHi.

1. Refer to WL to Mathew Carey, Aug. 8, 1788 (MHi).
2. Refer to Mathew Carey to WL, Aug. 7, 1788 (MHi), and see WL to Mathew Carey, June 26, 1788.
3. Joseph Addison.
4. Sir Richard Steele.
5. John Hawkesworth.
6. Samuel Johnson.
7. WL is probably misquoting the first letter of Paul to Timothy, 3:5, "For if a man know not how to rule his own house, how shall he take care of the Church of God."
8. Carlisle, Pa., where in November 1787 an Antifederalist crowd rioted on hearing the news that the state's convention ratified the Constitution.
9. It was widely believed in early national America that criminals fled to the frontier from the eastern states to avoid prosecution. For WL's previously expressed low opinion of frontiersmen see "Primitive Whig," No. V, [Feb. 6, 1786].
10. During 1711–1712, Sir Richard Steele and Joseph Addison contributed to the *Spectator*. Between 1750–1752, Samuel Johnson wrote for the *Rambler*, while John Hawkesworth wrote for the *Adventurer* between 1752–1754.
11. WL is probably referring to an address he delivered to the assembly on May 29, 1778, on receipt of the news that the French Alliance had been concluded. The speech was widely reprinted, prompting an English correspondent to label WL "the NERO of New-Jersey." For the address see 2:343–55.
12. WL states that a good assemblyman is impartial to all except that which benefits the state. Refer to enclosure, WL to Mathew Carey, Aug. 19, 1788 (MHi).
13. The magazine *American Museum*.
14. Judge Francis Hopkinson, a noted political satirical writer and composer of the period. His works include "Modern Learning" (1784), "The New Roof" (1787), and "Seven Songs" (1788), one of the first music books published by an American composer.

## To the Assembly

Trenton 29th August 1788

Gentlemen

I heartily congratulate you on the adoption of the constitution proposed for the government of the United States by the federal Convention, and it affords me great pleasure that New Jersey has the honour of so early and so unanimously agreeing to that form of national Government which has since been so generally approved of by the other States.<sup>1</sup> We are now arrived at that auspicious era which, I confess, I have most earnestly wished to see. Thanks to God that I have lived to see it. Though with the smiles of Providence upon our Arms during the late War, we have triumphed over our enemies, we have since been in eminent danger of losing the great & important blessings to be ex-

pected from the Independence thence derived. We have in particular been reduced to this danger by the want of an efficient national Government. But from the Constitution now adopted we have reason to hope for the re-establishment of public faith & private credit, of being respected abroad & revered at home. Much however, Gentlemen, will depend upon you, & others in similar stations in the United States, to make us, with this new-acquired happiness, the more exceedingly happy. This is, at least in great part, to encourage & promote the fear of God & the love of our Country, frugality & industry, agriculture & manufactures, personal honesty & public virtue. It is to abstain, most religiously & inflexibly to abstain from enacting Laws that have the least tendency to injure public credit or private contrasts; or aim at the relief of the distresses of some individuals at the expense & to the view of others.

I lay before the honourable House a number of public papers which have come to my hands since the last sitting of the Legislature agreeably to a list herewith transmitted.

WIL: LIVINGSTON

Sedgwick, *Livingston*, 421.

1. New York's ratification of the Constitution on July 26, 1788, left only North Carolina and Rhode Island out of the union. North Carolina ratified on Nov. 21, 1789, and Rhode Island, which had declined to send representatives to the Constitutional Convention, ratified on May 29, 1790. Both states based their acceptance of the Constitution on the adoption of a Bill of Rights. For previous mention of ratification see Joshua Lathrop to WL, July 10, 1788.

From Alexander Hamilton

[August 29, 1788]

Dear Sir

The Baron De Steuben informs me that he expects to set out this day on a visit to your legislature to endeavour to procure some arrangement respecting the place at Hackensack some time since granted to him by your state upon certain conditions.<sup>1</sup> My anxiety for the Baron's situation induces me to take the liberty of asking your friendship to him as far as may consist with considerations of propriety.<sup>2</sup> It is needless to say to you that he has been a most useful servant of the public. I imagine it is

as little necessary to observe, that he is a man, the [qualities?] of whose heart intitle him to the Sympathy and good will of good men. I shall only add that he is in a condition, for a man of his temper and habits, deplorable. He is as nearly as much in debt as all the property he has *would sell for*, and he is at the same time moneyless. Congress are now discussing his last application on the footing of a contract;<sup>3</sup> but there are some circumstances which involve the transaction in obscurity; and there are individuals not disposed to overcome difficulties. I fear little is to be looked for. The question, however is—Shall we permit a man, who has effectually served the American cause, either to starve or to go abroad begging?

We are informed here that there is some probability, that your legislature will instruct your delegates to vote for Philadelphia as the place of the meeting of the first Congress and the new Government.<sup>4</sup> I presume this information can hardly be well founded, as upon my calculations, there is not a state in the Union so much interested in having the temporary residence at New York, as New Jersey. As between Philadelphia and New York I am mistaken if a greater proportion of your state will not be benefitted by having the seat of the Government at the latter than at the former place. If at the latter too, its exposed and excentric position will [necessitate] the early establishment of a permanent seat; and on passing South it is highly probable the government would light upon the Delaware in New Jersey.<sup>5</sup> The Northern states do not wish to increase Pennsylvania by an accession of all the wealth and population of the Federal City. Pennsylvania herself when not seduced by *immediate possession* will be glad to concur in a situation on the Jersey side of Delaware. Here are at once a Majority of the States. But place the government once down in Philadelphia, Pennsylvania will of course hold fast. The State of Delaware will do the same. All the states South looking forward to the time when the ballance of Population will enable them to carry the government farther South; (say to the Potowmack) and being accommodated in the mean time as well as they wish will concur in no change. The Government from the delay will take root in Philadelphia & Jersey will lose all prospect of the Federal city within her limits. These appear to me calculations so obvious, that I cannot persuade myself, New Jersey will so much oversee her interest as to fall in the present instance in the [snares?] of Pennsylvania.<sup>6</sup> With the sincerest respect & regard I remain Dear Sir your Obedient Servant.

A HAMILTON

ALS, MHi.

1. In 1783 the New Jersey Legislature awarded Steuben confiscated lands at New Bridge, but sold them two years later when he refused to reside there. See WL to Baron von Steuben, Apr. 22, 1785. On Sept. 5, 1788, in recognition of Steuben's "important Services rendered to the United States of America, during the late War," the legislature awarded the land at Hackensack to Steuben and "his Heirs and Assigns forever" (*Acts* [Sept. 5–Sept. 9, 1788], 456–57). For previous correspondence see WL to Baron von Steuben, [Sept. 25, 1786].

2. Hamilton had long championed Steuben's claims for financial compensation (Syrett, ed., *Hamilton Papers*, 3:231–33, 588–91, 636, 639).

3. In the fall of 1787 Steuben submitted a memorial to Congress claiming that he had entered into a contract with Congress prior to offering his services and was entitled to financial compensation. Congress submitted the statement to a committee, but despite the committee's favorable recommendation no congressional action was taken at this time (*JCC*, 33:617n, 704; 34:13, 357n, 448–53, 507–12). For previous discussion of Steuben's attempts to secure monies from Congress, see Baron von Steuben to WL, Oct. 14, 1784.

4. On Aug. 6, 1788, Congress rejected a proposal to establish Philadelphia, rather than New York, as the site of the new government. All three New Jersey delegates, Jonathan Dayton, Jonathan Elmer, and Abraham Clark, voted against the proposal (*JCC*, 34:399–400).

5. For previous discussion concerning the Delaware River as a site for a federal city, see WL to Charles Stewart, Mar. 15, 1785, and n. 5.

6. For Hamilton's active campaign to establish New York as the site for the Congress, refer to Syrett, *Hamilton Papers*, 5:199–200, 203–4, 225, 276–77, 282, 284–85, 298–99.

## To James Pemberton

Elizabeth Town 20 Oct 1788

Dear Sir

I acknowledge myself under great obligations to you for your kind present of a number of pamphlets against the trade carried on to Africa for slaves, & your very friendly & polite letter of the 13th instant<sup>1</sup> that accompanied them, & which came to my hands yesterday. It must give singular pleasure to every man of real sensibility, & particularly to every one of a christian temper, to find that the emancipation of slaves, & the future discontinuance of reducing anymore of our fellow creatures to bondage, by the said infamous traffic, is become so popular; & advocated by so many respectable & illustrious characters.<sup>2</sup> That so anti-christian a practice has thus long prevailed, is a most melancholy proof how far the force of education & an attachment to self-interest are able to induce mankind into the most evident infractions of the most evident moral duties. Without such custom & education, how would any man be shocked at the bare proposal of this question. Is it right and lawful for any part of the human species of whatever colour & in what-

ever part of the globe to send a vessel on a trading voyage to any other part of the globe for there stealing, or there buying previously stolen for that purpose the inhabitants of that country of any other colour & them thence to convey to another part of the world, & there to sell them for slaves? Why the man asking this question, would certainly be thought either a knave or fool, or both.<sup>3</sup>

The religious society Sir, to which you belong has great merit in the pains it has hitherto taken, both in Europe & America to prevent this unjustifiable traffic to Affrica, & for the liberation of the natives of that country, & their descendants amongst us that are kept in the state of bondage. I hope that they will not relax in their endeavours to accomplish both those laudable ends. Perseverance in what is right in itself, is generally crowned with success, & Friends have given the most conspicuous proof of *perseverance* by the persecutions they have suffered<sup>4</sup> both in old & new England, to their immortal honour, & the everlasting reproach of both of these countries; & to a *patient continuance in well doing*, there is a promise annexed by *Him* who never fails in the performance of his promises.

In this State, we have made some [essay?] towards the emancipation of slaves.<sup>5</sup> It was my wish to have gone farther. But however desirous the western part of New Jersey may be, & I verily believe from real principle, to make short of the work there are some of the northern counties whom too rapid a progress in the business, would furnish with an excuse to oppose it altogether. And whatever may be a man's own personal wish, experience in business, & especially in political affairs, will teach every one this piece of instruction, that when we find it impossible to obtain at the present all that we desire; & by insisting upon that all, run the risque of obtaining nothing; it is then prudence not to insist upon it; but to get what we can; & which obtained, paves the way for procuring the rest. It is perhaps in some sense similar to this, that is enjoined upon us to be *wise as serpents*, as well as *harmless as doves*.<sup>6</sup> And by these means, & your peoples perseverance in this affair, I hope we shall at last, & if it so please God, I hope it may be During my life time, see *this cursed thing* taken out of *the camp* of our *Achan*, as one of the greatest *trespasses* with which it ever was *contaminated*.<sup>7</sup> For my part, whether in a public station or a private capacity, I shall always be prompt to contribute my assistance towards effecting so desirable an event; & as far as example will go, tho' the religious denomination of which I am a member, doesn't make the keeping of slaves an exemption from Unity

with them as I have been told yours (& I think very laudably) doth; I have manumitted all my slaves;<sup>8</sup> & am determined never to be the *possessor* (as *owner* I am persuaded no man can be) of another. Upon this account, I may probably be the more influential upon those who still keep these poor creatures in bonds; because after example, it is to be hoped that reason & advice will have the greater efficacy. I am with great sincerity your respectful friend.

WIL: LIVINGSTON

ALS, MHi.

1. Refer to James Pemberton to WL, Oct. 13, 1788 (MHi). Enclosures not found.
2. The Pennsylvania Society for Promoting the Relief of Free Negroes Unlawfully Held in Bondage, established in 1775, was "enlarged" on Apr. 23, 1787, to become the Pennsylvania Society for Promoting the Abolition of Slavery. . . . Benjamin Franklin was chosen president and Pemberton was one of two vice-presidents (*Evans*, #20636, 1–14).
3. WL served on the convention committee that addressed the slave trade. The committee, rather than taking a strong moral stand against the slave trade, proposed that it be ended in 1800. As a result of strenuous opposition from southerners, the delegates voted to extend the cutoff date to 1808. See Report of Committee of Eleven, Aug. 24, 1787.
4. Probably from 2 Timothy 3:10, 12: "But thou hast fully known my doctrine, manner of life, purpose, faith, longsuffering, charity, patience; Yea, and all that will live godly in Christ Jesus shall suffer persecution."
5. On Nov. 26, 1788, the legislature passed an amendment to "An Act to prevent the Importation of Slaves into the State of New-Jersey, and to authorize the Manumission of them under certain Restrictions . . ." The amendment instructed owners not to remove slaves from the state and required them to teach slaves to read who were born after the passage of the act (*Acts* [Nov. 11–Dec. 1, 1788], 466–68). For the passage of the original act see WL to New York Manumission Society, June 26, 1786.
6. Matthew 10:16. "Be ye therefore wise as serpents, harmless as doves."
7. Refer to Joshua 6–7. After Joshua captured the city of Jericho, Achan, of the tribe of Judah, hoarded treasures from the city. Achan was put to death by the people of Israel according to God's command to Joshua.
8. See WL's Bill of Manumission for his Slaves, Oct. [1–31], 1787.

## Appointment of Abraham Clark, Jonathan Elmer, and Jonathan Dayton to Congress

November 25, 1788

The State of New Jersey

To the Honorable Abraham Clark, Jonathan Elmer, and Jonathan  
Dayton Esquires—Greeting.

The Council and Assembly reposing special trust and confidence in

your integrity, Prudence and Ability, have at a joint meeting appointed you the said Abraham Clark, Jonathan Elmer and Jonathan Dayton or any two of you to represent and Vote in behalf of this State in the Congress of the United States of North America from this day until the first Wednesday in March next which will be in the Year of our Lord One Thousand seven hundred and eighty Nine,<sup>1</sup> unless a new appointment shall sooner take place.

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 therunto belonging, Chancellor and Ordinary in the same at Princeton the Twenty fifth day of November in the year of our Lord One thousand seven hundred and Eighty Eight and of our Sovereignty and Indepence the Thirteenth.

WIL: LIVINGSTON  
BOWES REED

DS, DNA:PCC,179.

1. On Sept. 13, 1788, the Continental Congress resolved that the new government under the Constitution would commence operations on the first Wednesday in March 1789 (*JCC*, 34:521–23).

To Mathew Carey

Princeton 26th November 1788

Sir

I inclose you three pieces for your Museum, in case you shall think proper to give them to the world through that channel, which I am glad to see becomes more and more respectable. As to the Letter to his Britannic Majesty, I set no store by it, any farther than as it may transmit to posterity the memory of a most sanguinary war against Liberty & Justice, and contains such Ideas of the duty of Sovereigns, as, if this would make them the rule of their conduct, the world would be the better for it.<sup>1</sup>

But as to the two pieces upon Government,<sup>2</sup> I must freely own that I should be glad to see them reprinted in your *Repository*; & that for the two following reasons. The first is, that I verily believe the Sentiments

to be sound & introvertible, & such as will consequently be readily subjected to by all the real friends of Liberty, & ought, by our posterity, upon an obtainable infrinchment, to be vindicated *L'Epée a la main*.<sup>3</sup> But my second reason is rather of a more personal nature, & *entre nous*, The Citizens of this State are divided into many different religious denominations of Christians & by wh[at?] I have been able to learn, are all equally good subjects & valuable members of the Community. As such I equally respect them all; & would wish them to be assured that I shall never discriminate them on account of the different religious persuasions to which they belong; and as the principles laid down & maintained in those pieces, are, I think clearly evidence of such my dispositions, it is natural [for?] me to desire that they should be made as notorious as possible.

I hope I shall be able during the course of the winter to gratify a wish you lately expressed of having your supernumerary pieces upon political subjects a little diversified with a few moral essays.<sup>4</sup> I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, MHi.

1. For the first essay, dated July 8, 1775, "Petition of Congress to the king of England," refer to *JCC*, 2:158–61. The essay was reprinted in the February 1789 issue of the *Amerian Museum*, where it bears the erroneous date of July 8, 1776.

2. Of the two essays on government, one, "Of Party-Divisions" was first published in the Feb. 22, 1753, issue of the *Independent Reflector*. Refer to Klein, *Independent Reflector*, 143–50.

3. *L'Epée a la main*: sword in the hand.

4. Refer to Mathew Carey to WL, Dec. 19, 1788 (MHi).

### From Susannah French Livingston

[November 30, 1788]

I fear my Dear Mr. Livingston that you are ready to judge hard of me for not writing to you by William.<sup>1</sup> I was at that time confined with a violent pain in my neck & shoulder or I should not only have written to you but have taken a passage in the Stage Coach to visit you. If my most earnest desire could have got you home, you would have been home before now. Tis impossible to tell you how much I am distrest at your

Situation<sup>2</sup> were I can not yeald you the assistance I would so readily give. I can assure my Dear Mr. Livingston that throw sorrow of heart my Spirit is broken. Would it be impracticable to hire the Stage Coach to bring you home at your leasure, if the pain you suffer will bear it, perhaps your health may be the better for it. The loss of appetite & want of exercise will weaken you very much if this is possible to be done, perhaps you may regain so much strength as to return to the legislature again before they rise. I am your much afflicted & affectinate wife

SUSANNA L

ALS, MHi.

1. William Livingston, Jr.
2. WL had fallen and broken his foot while boarding a stage coach in Princeton.

### To Ezra Stiles

Elizabeth Town 12th December 1788

Dear Sir

I was yesterday favoured by Mr. Morse<sup>1</sup> with your very friendly & polite Letter of the 17th of November.<sup>2</sup> I acknowledge myself under great obligations to the Senatus Academicus of your University for the honour they have done me by their degree of *Doctor of Laws*; & I beg you Sir, to be so kind as to communicate to the Reverend Corporation my grateful sense of so distinguishing a proof of their unmerited attention.

Whether from a fond opinion that my dear Alma Mater<sup>3</sup> Yalensis really makes a figure superior to that of her accademical Sisters in the United States, or from a particular filial attachment to her as *my* Alma Mater, barely from instinct, without any reason (as comparisons you know are said to be odious; but natural affection is implanted) I can say with sincerity that I should not have been equally gratified with the like honour from any other College upon our continent. My only concern is that I am really not so deserving of it as your polite partiality for me has induced you to believe. To *Literature*, I have no pretensions. The course of my life after I left College, was too busy a scene to afford me proper leisure for applying to any other study than that of my own profession;

& whoever intends to make an adequate proficiency in *that*, must adopt the maxim of *bic labor hoc opus est*.<sup>4</sup>

I have indeed been a labourer, & but a humble tho' a persevering one, in our late struggle against principalities & powers, & wickedness in high places, & the King & his ministry, & a Scotch faction and refugees, & London traders, & Tories<sup>5</sup> & the Devil; but to repress the risings of pride & vain glory, how [salutary] the interrogation in Scripture, & how strongly implicative of the negative, "what hast thou, that thou hast not received." And I am fully sensible of having done nothing more in the cause of my country than my obvious duty dictated; & *that* perhaps in a more inefficacious manner than many others in the same station would have done. We are my Dear Sir, but *unprofitable Servants*.<sup>6</sup> The praise is due (when any of us behave in public stations as we ought) to the universal Governor of mankind, from whom every good & perfect gift proceeds: And a conscious mental satisfaction of labouring for the common-weal with a *single eye* (however opposed, as frequently we are, & must expect to be, by men of sinister vision & personal *speculations*) will be a reward sufficient for the real & disinterested Patriot.

When Rulers on earth espouse the cause of virtue by precept & example, a divine blessing generally attends them; & they become instrumental in the hands of Providence, in promoting the happiness of the people over which they preside. Of this, we have not only numerous instances in sacred history, but it is remarkable that it should please heaven, according to what we find in profane story, to be peculiarly propitious even to pagan nations, when their rulers even according to their pagan manner, were virtuous; & promoted religion (such as it was,) amongst the people. Of this Sir, there is in the life of Numa, as recorded by my most favourite of all biographers, Plutarch,<sup>7</sup> the most striking instance, but of which illustrious prince, considering your superiority in historical knowledge to any thing I can pretend to, it would be superfluous in me to attempt the character or to shew what an amazing effect his attention to morals had upon the political happiness of his people.

I Sir, have lived to see adopted a new Constitution which promises national happiness. If we have not too many Antifederalists<sup>8</sup> returned to the new Congress (for even among the sons of God, Satan dares to present himself) I hope it will prove a national blessing. And as I shall have, after that no concern with this world, I am ready as to all tem-

poral affairs to take my chearful leave of it, with adopting respecting its liberty and happiness, the dying wish of Pietro Soave Polano, commonly called by Englishmen, Paul Sarpi/*esto perpetua*.<sup>9</sup>

With my best wishes for the prosperity of the State of Connecticut, (which without a compliment I always thought the best regulated of any of the Colonies under the *old*, or any of the States under a *new* government;) & for the choicest blessing of Heaven upon [ . . . ] accademical Institution over which you preside [ . . . ] with so much honour to yourself, & with such [ . . . ] signal service to the world in Desseminating useful knowledge, & consequently in promoting the true happiness of mankind. I have the honour to be their & your real friend & humble Servant

WIL: LIVINGSTON

ALS, CrY.

1. Probably Jedidiah Morse.
2. Refer to Ezra Stiles to WL, Nov. 17, 1788 (MHi), in which Stiles informs WL that the Senate Academius of Yale College had awarded him the degree of Doctor of Laws.
3. WL graduated Yale in 1741. For previous reference to his Yale education, see Joshua Lathrop to WL, July 10, 1788.
4. *bic labor boc opus est*: this is the labor, this is the task.
5. For an earlier derogatory mention of Tories by WL see Scipio, [Aug. 23, 1784].
6. Luke 17:10.
7. Numa Pompilius was an early Roman ruler. According to Plutarch's *Lives*, he succeeded Romulus to preside over a period of peace and justice.
8. For an earlier Antifederalist warning by WL see his message to the Assembly, Aug. 29, 1788.
9. Paolo Sarpi (1552–1623), or Fra Paolo was a famous Catholic priest and theologian whose defense of the secular authority of the Republic of Venice against the incursions of Pope Paul V earned him the respect of many Protestants, including James I of England. Sarpi's *History of the Council of Trent* was first published in London in 1619 under the pseudonym "Pietro Soave Polano." His last words, "Esto perpetua" (be thou everlasting), have been interpreted as a prayer for the Venetian republic.

To John Jay

Elizabeth Town 16th December 1788

Dear Sir

As you have so many better opportunities than I, to forward the enclosed Letters<sup>1</sup> to the places to which they are respectively directed, I take the liberty to commit them to your care, observing only that the

one directed to General Robinson,<sup>2</sup> & the other to Brook Watson (the latter covering a duplicate to Robinson) are not to go by the same conveyance, as I am not so much of a certain Irishman that I have heard of, who sent a duplicate by the same ship for fear of the miscarriage of the original.

I greatly long to see you & Mrs. Jay; but the effects of the unlucky fall I met with,<sup>3</sup> will prevent me from visiting your Metropolis this winter.

My dear three grand children under your roof may be assured that I remember them with great affection.

I am told that the long & deliberate exertions of you & Sally are like to increase the number of my grand Children. Whether male or female, whenever it makes its appearance in this *breathing world*, if it resembles its parents in its conduct, it will give me great pleasure if I am then living, & all its connections if dead, the latter of which is much the most probable of the two. Remember me to Sally & Susan.<sup>4</sup> Yours affectionately

WIL: LIVINGSTON

ALS, NNS.

1. Letters not found.
2. Probably Beverly Robinson, who was then living at Thornbury near Bath, England.
3. For WL's fall see Susannah French Livingston to WL, [Nov. 30, 1788].
4. WL's daughters, Sarah and Susannah.

## To James Pemberton

Elizabeth Town 21st December 1788

Esteemed Friend

I received your very agreeable Letter of the 4th November at Princeton,<sup>1</sup> but being then indisposed by a fall I received in ascending the Stage waggon by the breaking of the steps used for that purpose, I was not in a condition to do myself the pleasure of acknowledging the receipt of it. The same indisposition prevented me from being so attentive to [Messrs] Emlyn & Attlee,<sup>2</sup> as well as so active in facilitating the humane & publickly useful business they were commissioned to transact (and in which I entirely coincide with them in sentiment) as I should otherwise have been.

You have doubtlessly learnt from them how far they succeeded in their application to our Legislature.<sup>3</sup> I am sorry that their wishes were not more extensively answered. But you see, my dear friend, that as *Rome was not built in a day*, the slavery which that people were very instrumental in introducing (and their descendants, it seems have had the art to enslave the *souls*, as their ancestors did the *bodies* of their fellow-men) requires *more than a day*, to abolish. This however is not meant to discourage any exertion to that purpose; & I will not forget the drawing I have seen upon a certain sign of a public Inn, which was that of a beaver knawing a tree to fell it (slow operation compared to that of an ax) with the subscription of *persevexando*.<sup>4</sup> And whether you *regret it*, or not, Friends will, by their *faithful continuance* in this enterprize, finally have the applause due to so great & good a work: & I cannot see why any man should be pained by impartial & deserved praise; though I can easily see why no man should make the expectation of it, the motive of his actions. I must however acknowledge that there it appears to be a certain grandeur & sublimity in the sentiment, & you have brought by it to my mind, a sentence in a sermon of Massillon Bishop of Clermont<sup>5</sup> delivered before Louis XIV during his minority, which I greatly admired. “Render vous Digne (says he to that king) D’être loué, & vous meprisever les Courages” *Render yourself worthy to be praised, & you will despise praise.*

With respect to slave-holding, our Legislature, shortly after our revolution, committed a most fatal error, to prevent which I exerted my utmost endeavours, but without success. They confiscated those unhappy people as the forfeited property of certain delinquents, & deposited the proceeds arising from the sale in the public treasury.<sup>6</sup> This was giving a greater sanction to legitimate the abominable practice, than any thing that could be addressed for its support under the old government, in which that unaccountable doctrine rather depended upon custom, than any positive law. This, (though you may depend upon it) I shall not put into the mouths of the pretended lords & masters of their African brethren, they will use whenever they recollect it as such an *argumentum ad hominem*<sup>7</sup> (as the Logicians call it) against all legislative acts to the prejudice or infringement of this kind of property, so sanctioned as before mentioned until government averages amongst the losers the sum thus by *itself* acquired, as I think cannot be refused. For with what appearance of justice can any such State direct by law the manumission of slaves, without a compensation to the owners, as has,

& doth, at the very time, avail itself of the proceeds in cash of the sales of similar slaves, upon the supposition of the rectitude of a practice, which such a law must necessarily combat? It must be wrong in both cases, or in neither of them.

I thank you for the extract you sent me out of Plutarch respecting the life of Numa. Though I have read that author, & think him the best biographer that ever fell into my hands, I had really forgot the beautiful passage you were so kind as to transcribe. Numa certainly had merit in endeavoring to soften & tame the ferocious minds of the Romans & to turn them to pacific & gentle exercises; But at the same time, I cannot applaud him for the policy by which he effected it. For as all dissimulation & falsehood is contrary to the reverence due to the Deity, & without such reverence, there can be no religion, how could this same Numa Pampileus, & that too, without having the opportunity of ploughing with the Earle of Chesterfield's<sup>8</sup> heifer, reconcile to his conscience such *dissimulation* as the fiction he invented about privately conversing with the nymph Egeria, & receiving all the regulations he instituted as so many inspirations from her? I don't believe that he ever saw Egeria.<sup>9</sup>

I shall be greatly obliged to you for the continuance of your correspondence; & especially for any hints conducive to the publick happiness of New Jersey. I think myself under such obligations to the people of this State for the good opinion they have been pleased to entertain of me, for so many years past, that even abstracted from real duty, & the principles of religion, I would in meer gratitude for their favourable & partial sentiments, study & promote their best interest. But to effect that, according to my wishes, my power & influence are inadequate, & I think I would not desire greater power or more influence for any other purpose than that of being capacitated to be of greater service, as all power beyond that, is not only vainly splendid & ostentatious but, from the depravity of human nature, too liable to be perverted to the oppression and misery of mankind, with which a prudent man, however well disposed, would not wish to be tempted.

I have known some clergymen preach by the watch & hour-glass; & I fear you will [conclude?] that I write letters according to the limits of my paper. But a long letter is a fault of which I am seldom guilty; & when I am, I rarely apologize for it, because it is only to my most esteemed friends that I can prevail upon myself to be prolix; & then it is only to compensate for the want of personal conversation, by being the more garrulous (if I may so speak) with the quill.

As you have opportunity, do me the favour to give my reports to Messrs. Emlyn & Atlee for both of whom I have a very sincere regard; & you may, if you please, tell the former, that his *grace mercy & peace*, at our parting, was to me more acceptable than a million of the *humble Servants*, of a vain & flattering world. Believe me to be your sincere and respectful friend

WIL: LIVINGSTON

ALS, PHi.

1. Refer to James Pemberton to WL, Nov. 4, 1788 (MHi).
2. The Pennsylvania Society for the Abolition of Slavery apparently sent Samuel Emlen, Jr., and Edwin P. Atlee to argue for manumission before the New Jersey Legislature. The legislative records contain no reference to their appearance, but they do mention several petitions from Quakers and others for a manumission law (*General Assembly* [Oct. 28–Dec. 1, 1788], 16, 19).
3. For the actions of the New Jersey Legislature regarding manumission see WL to James Pemberton, Oct. 20, 1788, n. 5.
5. John Baptist Masillon (1663–1742), appointed bishop of Clermont in 1717, was a famous French cleric and orator. Since Louis XIV died in 1715 at the age of seventy-seven, it is unlikely that the bishop directed his remarks to this king.
6. “An Act for taking Charge of and leasing the Real Estates, and for forfeiting the Personal Estates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commissioners appointed to seize and dispose of such Personal Estates, and for ascertaining and discharging the lawful Debts and Claims thereon,” was passed Apr. 18, 1778 (*Acts* [Feb. 21–Apr. 18, 1778], 73–82). For passage of the act see 2:227–28, n. 16.
7. *argumentum ad hominem*: an argument direct to the man.
8. Philip Stanhope, fourth earl of Chesterfield, whose published letters to his son were widely read in the English-speaking world.
9. Numa Pampilius, ruler of early Rome, claimed direct communication with the goddess Egeria. For previous reference to Plutarch’s account of the life of Numa see WL to Ezra Stiles, Dec. 12, 1788, and n. 7.

From John Jay

New York 22 December 1788

Dear Sir

Your kind Letter of the 16 Instant<sup>1</sup> (which I received Yesterday) gave me particular Pleasure, as the vivacity observable in it corroborates the accounts we have of your Recovery from an accident which gave us much concern; especially as several Circumstances unfortunately interposed to detain us from You. The Letters which were enclosed with yours shall be forwarded by the first good opportunities.

I am happy my dear Sir that nothing either in my Disposition or Circumstances, prevents my considering an addition to my family as a Blessing instead of an Incumbrance; and it gives me pleasure to perceive & be persuaded that the Prospect of it affords Satisfaction to You. Whether children will prove Comforts or Thorns to their parents, cannot be foreseen. Nature certainly has much Influence, and so have Education and Example. The first is not under our controul; but the two latter depend greatly on our Care and if mine disappoint my Hopes, it shall not be for want of that Care. Those I have are promising, and give me no Reason to be anxious or dissatisfied; on the contrary, I cannot forbear flattering myself that they will in some Degree contribute both to your & to my domestic Consolations.

Having never from choice, and seldom from necessity (except during the war) been absent from Rye at Christmass, I purpose to take Peter with me and to pass that Day and a few succeeding over there. After my Return we intend to take the earliest opportunity of making the compliments of the Season in Person to you and Mrs. Livingston. I wish we had Reason to expect that you both would soon favor us with a visit, but that not being the Case, such of us as can will visit you. Peter is well but Sally and the girls must I fear remain at Home during the winter. Adieu my Dear Sir. I am your affectionate & humble Servant.

JOHN JAY

ALS, MHi.

1. See WL to John Jay, Dec. 16, 1788.

## To John Jay

Elizabeth Town 24 December 1788

Dear Sir

I have just now received your very agreeable letter of the 22d.<sup>1</sup> But notwithstanding the *vivacity* you may have discovered in my letter to you, (& I am apt, upon all occasions, *to set*, as they say, *the best foot foremost*), I feel the effects of the disaster I met with, to a greater degree than either my Physician is sensible of, or than I choose to discover to my family. It was with a witness an *imper congressions*<sup>2</sup> to pit the flesh & bones of an old man against the iron-shod wheel of a stage waggon.<sup>3</sup>

The expectation of seeing you here, gives me great pleasure; & I really believe would prove more medicinal than the prescriptions of all the sons of Esculapius<sup>4</sup> put together. But as I should not be a little mortified at your coming when I was abroad, I must tell you when *not* to come. Our Legislature has appointed the 7th of January for the meeting of the Governor & Council at Princeton to appoint the Electors for choosing the President etc. of the new government;<sup>5</sup> & in consequence of that appointment, as to the time, I have fixt the day following for the hearing of a cause in Chancery at the same place in order to save charges to the parties litigant, whose counsel at Law live in that part of the State. So that in all probability, I shall be absent from home, if I can crawl out (to which the first part of the business above mentioned, will greatly tempt me) from the 5th to the 10th of January, during which interval, I would therefore wish you not to come; but as soon before or after as you please; & whenever you do me that honour, there is perhaps no man whom you could make happier by a visit than your humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. See John Jay to WL, Dec. 22, 1788.
2. *imper congressions*: ill-matched meeting.
3. For WL's most recent reference to his accident see WL to James Pemberton, Dec. 21, 1788.
4. Esculapius or Asclepius was the classical god of healing and legendary founder of medicine. His sons Machaon and Podalirius were also physicians.
5. The legislature directed the governor and council to appoint six citizens as New Jersey electors on the first Wednesday in January. Refer to "An Act for carrying into Effect, on the Part of the State of New-Jersey, the Constitution of the United States . . ." (*Acts* [Oct. 28–Dec. 1, 1788], 477–82).

To Mathew Carey

Elizabeth Town 5 January [1789]

Sir

I enclose you Strictures upon General Tryon's answer to General Parsons's letter in the year 1778,<sup>1</sup> which if you think worthy of a place in your Museum, you will of consequence insert it. I am Your very humble Servant

WIL: LIVINGSTON

P.S. As I have no copy of the hymn; I wish you would be so kind as to send me a copy of those Stanzas to which you object are not rhyming.<sup>2</sup> I did not observe it in composing it, tho' it is not regarded by the best poets whether the rhymes do entirely jingle in sound. To explain myself—*rod & good*, would be reckoned by Pope himself to rhyme sufficiently tho' not near so Strong as *rod & nod*.

ALS, MHi.

1. For WL's essay, written under the pseudonym "Hortentius," see 2:259–62.
2. For an example of WL's satiric verse see "Jack Ketch" in 3:39–40.

### From John Laurence

Burlington January 5th 1789

Sir

Agreeable to my Promise which I had always Wish to keep with G v r s and L — s, have procured some Flower Seeds which send by Mr. Reed,<sup>1</sup> and hope next Season they may prove Acceptable.

Some are without Names, which when they Vegitate you may perhaps find out by Miller, [ . . . ] Flourist.

Miss Bishop who I believe is not in, a Matrimonial way, but seems to be almost as Choice of her Hyacinths Tulips etc. as her M—h—d says she can't refuse the Governor any Favor he may feel an Inclination to Ask or Request and will when the Season and Opportunity presents Gratifye him with any Curiosities in her *Flower Garden*.

As to Politicks we have little stiring here; The Federal Ticket will run generally to the Westward of Trenton<sup>2</sup> except in this County where There is an Opposition but I believe feeble for The People have set their faces against the C—l—k—ts and D—t—n—t—s<sup>3</sup>

I hope your Electors will act with prudence and Caution so as to secure that great and good Manly Wit.<sup>4</sup> And am Sir Your most Obediant Humble Servant.

JN LAURENCE

ALS, MHi.

1. Bowes Reed.
2. The 1789 election for congressional representatives was marked by attacks on personalities rather than by issues. Qualified voters submitted their ballots of four candidates to the clerks of the county courts of common pleas, who transmitted them to the governor

and Privy Council for counting. Refer to "An Act For carrying into Effect, the Constitution of the United States . . ." (*Acts* [Oct. 28–Dec. 1, 1788], 477–82).

3. Clarkites and Daytonites were the supporters of the slates of Abraham Clark and Jonathan Dayton.

4. For previous mention of the electors' appointments see WL to John Jay, Dec. 24, 1788.

## Proclamation

New Brunswick, [January 13. 1789]

BY HIS EXCELLENCY  
WILLIAM LIVINGSTON, ESQ.

*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.

*To all to whom these Presents shall come, or may in any-wise concern:*

BE IT MADE KNOWN, That on this day, the honourable DAVID BREARLEY, JAMES KINSEY, JOHN NEILSON, DAVID MOORE, JOHN RUTHERFORD, and MATTHIAS OGDEN, Esquires, were duly appointed by the Governor and Council of this state,<sup>1</sup> according to an act of the Legislature thereof,<sup>2</sup> Electors on behalf of this state, for the purpose of choosing a President and Vice-President of the United States, agreeably to the Constitution of the said United States.

GIVEN under my Hand and Seal at Arms, in Princeton, the seventh Day of January, in the Year of our Lord one thousand seven hundred and eighty-nine.

WIL: LIVINGSTON  
BOWES REED

*New Brunswick Guardian of Liberty*, Jan. 13, 1789.

1. The six electors were chosen at a Jan. 7, 1789, meeting of the Privy Council (*NJA* [Privy Council], 286–87).

2. For background on New Jersey's election law see WL to John Jay, Dec. 24, 1788, and n. 5.

From Jonathan Deare

New Brunswick 13. January 1789

Sir,

In compliance with the late act of Assembly<sup>1</sup> I inclose your Excellency a Copy of the nominations<sup>2</sup> that are filed in my Office<sup>3</sup> of Candidates to the choice of the people, as Representatives for the State of New Jersey in the Congress of the United States. I am Sir your most Obedient Humble Servant

JONA DEARE

LS, MHi.

1. "An Act for carrying into Effect, on the Part of the State of New-Jersey, the Constitution of the United States" was passed Nov. 21, 1788. Eligible voters had thirty days prior to the election in which to submit to the county clerks of the courts of common pleas the names of four candidates for the House of Representatives. The governor then published the names in New Jersey newspapers at least eighteen days prior to the election. The voters were to choose their representatives from this list (*Acts* [Oct. 28–Dec. 1, 1788], 477–82). For previous mention of this election see John Laurence to WL, Jan. 5, 1789.

2. Enclosures not found.

3. Deare served as Middlesex County clerk from 1777 to 1796 (*Eastern NJ Proprietors*, 4:456).

To Susannah Livingston

Elizabeth Town 19 January 1789

Dear Susan

You will find by the inclosed<sup>1</sup> that you are to call upon Mrs. Brockholst Livingston<sup>2</sup> for £142. Of this you may appropriate £50 to the Credit of my bond to you, & £5. more as a present for pocket money; & when I come to the final settlement of the bond, I mean to allow you all the present difference between New-York paper currency & hard money<sup>3</sup>; & if I should die before that period, you may shew this Letter to my Executors that such is my desire, as no Acts of Assembly<sup>4</sup> have hitherto been able to reconcile me to cheating according to Law, or convinced me that human Legislators can alter the immutable duties of morality.

After you have given me credit for the above mentioned £50 upon the bond, & deducted the said £5. for spending money, you will have left in your hands for me £87 which you will keep till you receive my orders concerning it. I am Your affectionate father

WIL: LIVINGSTON

ALS, MHi.

1. Refer to WL to Henry Brockholst Livingston, Jan. 19, 1789 (MHi).
2. Catherine Ketteltas Livingston.
3. New York's paper currency had been issued in April 1786. Reaching par value with hard money in the summer of 1787, it depreciated six percent by May 1788 and continued to drop thereafter. By 1790 it was estimated that the 1780 Continental dollars were worth only one-fortieth of their face value. Refer to Report on Money Received from, or Paid to, the States, May 11, 1790, in Syrett, *Hamilton Papers*, 6:412–14.
4. For New Jersey's assembly act permitting the use of paper currency see "Primitive Whig," No. VI [Feb. 13, 1786], and n. 4.

## Proclamation

January [19], 1789

By the Governor of the State of New Jersey

The following is a true list of the names of every candidate nominated to the choice of the people of this State as Representatives in the Congress of the United States that have been returned to me by the respective Clerks of the Courts of Common Pleas in the several counties of this State, & which, according to the directions of a certain Act of the Legislature in that behalf lately made and provided, I am to cause to be published in certain news-papers therein mentioned, vizt<sup>l</sup>. . . .

ADf, MHi.

1. For background on the New Jersey act for the election of representatives see Jonathan Deare to WL, Jan. 13, 1789, n. 1. The nominees were Joseph Bloomfield, Elias Boudinot, Lambert Cadwalader, Abraham Clark, John Cox, Jonathan Dayton, Samuel Dick, Philemon Dickinson, Joseph Ellis, Thomas Fenimore, Thomas Henderson, Robert Lettis Hooper, Robert Hoops, Hugh Hughes, Aaron Kitchel, Abraham Kitchel, Robert S. Jones, James Linn, Robert Ogden, James Scheureman, Joseph Sheppard, Thomas Sinnamon, Joseph Smith, Charles Stewart, John Stevens, Jr., Henry Stites, Samuel Witham Stockton, Mark Thomson, Benjamin Van Cleve, and John Witherspoon.

The Jan. 27, 1789, edition of the *New Brunswick Gazette and Weekly Monitor* also included the following names: Rev. John Armstrong, John Beatty, John Chetwood, Silas Condict, Whitten Cripps, Patrick Dennis, Jeremiah Eldridge, John Fell, Frederick Frelinghuysen, Jacob R. Hardenbergh, Josiah Hornblower, James Kinsey, Dr. Alexander Mc-

Whorter, John Mehelm, John Neilson, Abraham Ogden, James Parker, John Rutherford, Dr. Samuel Smith, John Stephens, Benjamin Thompson, Samuel Tuthill, William Winds, and William Woodhull. The following persons declined nomination: Beatty, Bloomfield, Chetwood, Cox, Dick, Kinsey, Smith, and Stockton.

## Proclamation

19 January 1789

By the Governor of the State of New Jersey.

To all the Citizens of the said State As the Bearer of the Governor's dispatches to the Sherifs of the respective counties is intrusted with the Lists of the nomination of the candidates as Representatives of this State in the Congress of the United States,<sup>1</sup> it is hoped & expected that if any accident should happen to him or to his horse in the course of this his Journey that (on so important an occasion as the present which requires the greatest dispatch) the citizens of this State will be aiding & assisting in forwarding him on his Journey by providing him with an other horse, in case his own should fail or in forwarding the said Dispatches in case the Express himself should by any unforeseen accident be disabled to proceed in the farther execution of what is committed to his charge, & for the expense of such assistance the Governor hereby engages to make the person so assisting adequate satisfaction

WIL: LIVINGSTON

ADfS, MHi.

1 The Nov. 21, 1788, act required the governor to submit the list of candidates to the sheriff of each county, who would post the list and the election date "in at least five of the most publick Places in his County." The act further ordered the sheriffs to supervise the elections and to transmit the results to the governor (*Acts* [Oct. 28–Dec. 1, 1788], 477–82).

## To Samuel Dick

Elizabethtown, January 25, 1789.

Dear Sir:

Be persuaded that it is not through willful neglect that I have not until now acknowledged the receipt of your letter of the 7th instant.<sup>1</sup> I make it a rule to answer every letter, from the meanest creature in human shape, as soon as I have leisure to do it; and I cannot therefore be

supposed inattentive to those gentlemen of distinction and gentlemen who are endeared to me by old acquaintance and the amiableness of their characters. But the conjunction of bodily indisposition, and the greater variety of public indispensable business that I have for a considerable time past met with, made it impossible for me to do myself the pleasure of discharging so agreeable an office as that of answering sooner than I now do. But, my dear sir, I wish you had given me a more agreeable commission to execute, than I find I must, according to the tenor of your letter, carry into execution. Your requests, it is true, shall always with me carry with them the nature of a command; but I am sorry that your present one—“*aut volens aut nolens*”<sup>2</sup> be considered mandatory, for it seems you have left me no other choice than the alternative of erasing your name from the “List of Nominations,” or to write against it, “Dr. Dick declines to serve.” I had a particular reason to wish you to stand as a candidate, and finally appear to be one of the four *elected*, because (without compliment I say it), though we have had many in Congress, who in other respects were possessed of such qualifications as men in that station ought to be endowed with, a great part of them have been totally destitute of that knowledge of mankind, and that certain politeness, which Lord Chesterfield calls *attention*, without which the greatest talents in other things will never make a man influential in such assemblies. But if it must be so that either you cannot or will not go, I must submit. Believe me, Your most humble Servant,

WILL: LIVINGSTON

Stephen Wick, *History of Medicine in New Jersey, and its Medical Men* (Trenton, 1879), 233.

1. Refer to Samuel Dick to WL, Jan. 7, 1789 (MHi), in which Dick requests that WL withdraw his name from the list of congressional candidates. For list of candidates see WL Proclamation, Jan. [19] 1789.

2. *aut volens aut nolens*: either willingly or unwillingly.

### From Elias Boudinot

Elizabeth Town Thursday Morning [Feb. 5, 1789]

Dear Sir

After I left your Excellency yesterday, I sketched off, in a hurry, the substance of the Conversation that passed at your House the last time I dined there, and sent it to New Ark to Mr. Smith,<sup>1</sup> who this Morning

returned it to me with his Certificate at foot. I enclose a Copy to your Excellency, before I make it public, in hopes that you will be convinced that you wholly misapprehended me in that Conversation; and as Mr. Blanchard<sup>2</sup> has sent me word that he will propogate the Story whenever he can, my friends have insisted on this Measure to countervail his Measures—to which I hope your Excellency will have no Objection; and if you think proper, will mention your misapprehension of the Conversation, if asked on the Subject.<sup>3</sup> I have the honor to be with great respect Your Excellency's Most Obedient Humble Servant

ELIAS BOUDINOT

ALS, MHi.

1. Probably William Peartree Smith, judge of the Court of Common Pleas for Essex County.

2. Enclosure not found. Probably John Blanchard.

3. The conversation undoubtedly involved the 1789 congressional elections. Boudinot was part of the "West Jersey ticket," along with James Scheureman, Lambert Cadwalader, and Thomas Sinnickson. Among their chief opponents were Abraham Clark and Jonathan Dayton. For previous reference to this election see John Laurence to WL, Jan. 5, 1789.

### To John Rodgers

Elizabeth Town 16th. February 1789

Dear Sir

I received your kind letter of the 3d instant<sup>1</sup> a few days ago, and am greatly obliged to you for the trouble you have taken in laying the subject matter of my letter before the trustees. The result however of their deliberations upon it is not so agreeable to me as I could have wished. For tho' I do not doubt the disagreeable situation of your ecclesiastical finances; yet I should think the Trustees might take up the money from others (for Credit I suppose they have, however destitute of Cash) to discharge my demand, and their paying the same interest for the one, as for the other cannot prejudice the Church. Viewed in another light it really would be to it's advantage; because when I promised to make it a present of half the interest due, I meant it on condition of the remainder's being speedily paid, and to induce them so to do. And as my loan will soon carry no Interest, I think they might discharge my demand, by adopting the measure I have here suggested. To this I will

only subjoin that the money would at present, or at least before the next Autumn be of particular use to me, being obliged to supply my family by purchasing most of the most expensive articles it requires in New York, where you make so great a difference between your and our paper money that I very sensibly feel the effect, and for which there is really no reason, unless the execrable projects of Brokers, & Speculators deserve that venerable name. I must again apologize for troubling you on this subject, but persuaded of your friendship I firmly persuade myself that you will not hesitate to oblige a friend.<sup>2</sup>

Lcy, MHi.

1. Refer to John Rodgers to WL, Feb. 3, 1789 (MHi), and WL to John Rodgers, Dec. 22, 1788 (MHi), concerning WL's 1766 loan of £50 to the Presbyterian church in New York, of which WL was a member and Rodgers the minister. Rodgers, who succeeded David Bostwick as minister in 1765, collected subscriptions for the Brick Church at Beekman and Nassau streets, where the first service was held Jan. 1, 1768. WL offered £50 interest free for seven years. In December 1788, he wrote Rodgers offering to abate half the interest if the parish repaid him. Rodgers submitted WL's letter to the board of trustees, who promised to repay WL "as soon as it shall be in their Power" (Samuel Miller, *Memoirs of the Life of the Rev. John Rodgers, D.D.* [New York, 1813], 174–82).

2. The board of trustees accepted WL's offer, and promised to borrow the money if they could not raise the full sum. Refer to John Rodgers to WL, Mar. 1789 (MHi).

### To Thomas Mifflin

Elizabeth Town, 18th February. 1789.

Dear Sir,

It has been represented to me by the honorable David Brearly Esq., Chief Justice of this State, that he lately sent a warrant into the State of Pennsylvania for one Andrew Allen who is charged with forgery in the County of Middlesex in this State, & is found in the State or Commonwealth of Pennsylvania, & that the Executive of that State will not deliver him without the requisition of the Executive of this State.<sup>1</sup>

I am informed that this is the first instance, among a great number of Cases where the warrant from one of the Justices of the Supreme Court has been deemed to be insufficient; & it is probable that you consider the 4th article of the old Confederation as extending to all Cases. To avoid however all altercations upon the subject, I do hereby agreeably to the Confederation, & in the words of it, "Demand as Governor & the

Executive Power of this State of New Jersey from the State or Commonwealth of Pennsylvania, that the said Andrew Allen be delivered up, & removed to this State having Jurisdiction of his offence."<sup>2</sup> With great Esteem, I have the honor to be, your Excellency's most humble, & very obedient Servant,

WIL: LIVINGSTON

*Pa. Archives*, 2:550.

1. Communication not found.
2. For previous reference to extradition under the Articles of Confederation see WL to George Clinton, Dec. 8, 1787, and n. 2. These stipulations were incorporated into Article 4, Section 2, of the Constitution.

## Recommendations

Elizabeth Town, Feb. 19, 1789.

HAVING considered the general plan of a Magazine, advertised to be published every other month, by subscription, entitled, THE CHRISTIAN'S, SCHOLAR'S, AND FARMER'S MAGAZINE;<sup>1</sup> and seen some of the introductory papers on each of its capital subjects, RELIGION, LEARNING and AGRICULTURE, I am of opinion that the undertaking, which appears to be a very laudable one, will, if judiciously executed, as is reasonably to be expected, be of public utility.

WIL: LIVINGSTON

*N.J. Journal & Political Intelligencer*, Mar. 11, 1789; *Christian's, Scholar's and Farmer's Magazine*, April–May 1789.

1. *The Christian's, Scholar's and Farmer's Magazine*, published bimonthly in Elizabethtown by Shephard Kollock of the *N.J. Journal* from April/May 1789 to February/March 1791, contained essays on religion, history, philosophy, and related subjects. The first issue was dedicated to WL (American Periodical Series 1, Reel #20).

## To Mathew Carey

Elizabeth Town 5th March 1789

Sir

Yours of the 15th february<sup>1</sup> I have received. I shall pay your disbursements for the two publications you was so kind at my request to have

inserted in the News-papers, to Mr. Kollock<sup>2</sup> for your use; & am much obliged to you for your trouble therein.

I fully intended to have troubled you, during the course of this winter, with some original pieces upon moral subjects; but I have not only been more out of health since October last, but have had a greater share of public business than I have experienced any year since the war.

I published a piece, (I think it was about the year 1777) in Dunlap's paper,<sup>3</sup> in the form of a News Paper, in ridicule of Rivington's lying Gazette.<sup>4</sup> If you could procure a copy of that, (as I believe that Printers usually preserve at least one set of their papers) I imagine that the publication of it, would afford the readers of your Repository more diversion than any thing that I am now capable of composing. And if you can obtain & choose to publish it, you have my leave to usher it in, as attributed to me. I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, MHi.

1. Letter not found, but see WL to Mathew Carey, Jan. 5, [1789], for earlier correspondence.

2. Shephard Kollock.

3. John Dunlap was the publisher of the *Pa. Packet*.

4. See "The Impartial Chronicle," [ca. Feb. 15, 1777], 1:226–39. For a recent reference to WL's attack on James Rivington see WL to Mathew Carey, Aug. 4, 1788.

## From Jonathan Deare

New Brunswick 7th March 1789

Sir,

Intending to memorialize His Excellency the President of the United States, when he arrives in this town on his way to Congress,<sup>1</sup> that he will be pleased to place me in nomination for an Office in this State, but not having the honor to be personally known to him, I take the liberty to request the favor of Your Excellency to write a recommendatory letter to him in my Behalf,<sup>2</sup> and that you will also be pleased to send it to me by the Return of Mr. Paterson,<sup>3</sup> so that I may have it ready to present to His Excellency at the same time with my memorial. I am sensible of the delicate Situation in which His Excellency the President will be placed, on account of the numerous applications that will be

made to him from all quarters, and I Should be extremely sorry to add to his Embarrassment; but the Duty I owe my family impels me to trouble him with my Sollicitations, and I trust that my uniform attachment to the Cause of my Country, will give me no inferior Claim to his favor. I am with profound Respect, Your Excellency's Most obedient and Most humble servant

JONA. DEARE

P.S. Mr. Paterson will inform your Excellency what office I have in view.<sup>4</sup>

ALS, MHi.

1. George Washington, on his way from Virginia to New York, arrived in New Brunswick on Apr. 22, 1789 (Fitzpatrick, *Writings of Washington*, 30:291n.). Although his election as president was widely anticipated, Congress did not formally count the electoral votes until April 6, the first date on which the Senate reached a quorum. Washington received sixty-nine electoral votes and John Adams was elected vice president with thirty-four votes. All six New Jersey electors voted for Washington; five also voted for John Jay and one voted for Adams (De Pauw, *Senate Journal* 1:7–9). For previous reference to New Jersey electors see WL Proclamation, Jan. 13, [1789].

2. Letter not found.

3. William Paterson.

4. For previous correspondence see Jonathan Deare to WL, Jan. 13, 1789.

## Proclamation

March 19, 1789

William Livingston Esquire Governor Captain General & Commander in Chief in & over the State of New Jersey & the Territories thereunto belonging, Chancellor and Ordinary in the same.

Whereas by a certain Act of the Legislature of this State passed the twenty first day of November last entitled "An Act for carrying into effect, on the part of New Jersey the constitution of the United States, assented to, ratified & confirmed, by this State on the eighteenth of December in the Year of our Lord one thousand seven hundred and eighty seven."<sup>1</sup> It is among other things enacted that the Governor of this State for the time being, shall within four days after receiving the Lists of the Candidates voted for to represent this State in the Congress of the United States, lay the same before the Privy Council of this State to be summoned for that purpose, & after casting up the whole number of votes from the several Counties for each Candidate, the said Gover-

nor & Privy Council shall determine the four Persons who shall have the greatest number of Votes from the whole State to be the Persons duly chosen to represent this State in the Congress of the United States, & that the said Governor shall also make known their names to the Public by Proclamation without delay, as by the said Act, reference being therunto had, will appear.

I do therefore in pursuance of the said Act, hereby make known publish & declare that after casting up the whole number of Votes from the several Counties for each such Candidate, as directed by the said Act by the said Governor & Privy Council (duly summoned for that purpose) the said Governor and Privy Council did determine that the four Persons who have the greatest number of Votes from the whole State for such representatives as aforesaid are [ . . . ] the said [ . . . ] & that are therefore by the said Governor & Privy Council determined to be the four Persons duly chosen to represent this State in the Congress of the United States, agreeably to the above in part recited Act; of which all those whom it may concern are to take notice & govern themselves accordingly.<sup>2</sup>

Given under my hand and seal at arms in Elizabeth Town the [ . . . ] day of [ . . . ] in the year of our Lord one thousand seven hundred and eighty nine.<sup>3</sup>

WIL: LIVINGSTON

DS, MHi.

1. For background on the act of Nov. 21, 1788, see Jonathan Deare to WL, Jan. 13, 1789, and n. 1.

2. An expanded version of this proclamation which appeared in the Mar. 24, 1789, edition of the *Brunswick Gazette and Weekly Monitor*, listed the four successful candidates as James Scheureman, Lambert Cadwalader, Elias Boudinot, and Thomas Sinnickson. For previous reference to this "West Jersey ticket" see Elias Boudinot to WL, [Feb. 5, 1789], n. 3.

3. WL's proclamation was a central document in a major electoral controversy. The November 1788 election law ruled that the election would begin "the second Wednesday in February next," but set no closing date. In addition, politicians in both East and West Jersey hoped to benefit from an amendment to "An Act for officials carrying into Effect the Constitution . . .," which increased the number of polling places in the state from twenty-nine to fifty-three. Refer to "A Supplement to the Act, entitled 'An Act for regulating the Election . . .'" (*Acts* [Oct. 28–Dec. 1, 1788], 502–4).

When WL convened the Privy Council on March 3, more than 2 weeks after the election began, only seven of thirteen counties had submitted voting results. At that point, the *Brunswick Gazette* reported the leading vote-getters to be Scheureman, Boudinot, Abraham Clark, and Jonathan Dayton. Due to incomplete returns, WL postponed fur-

ther action until the Privy Council reconvened on March 18. Refer to Evidence before Committee on New Jersey Election, [August 1789] (MHi); *Acts* (Oct. 28–Dec. 1, 1788), 477–82; and *Brunswick Gazette and Weekly Monitor*, Mar. 3, 1789.

Both sides took advantage of this interval to turn out additional voters. Refer, for example, to “Martin B. Burn” essays in *Brunswick Gazette*, Mar. 3 and Mar. 10, 1789. When the Privy Council reconvened on Mar. 18, 1789, twelve counties submitted results, but Essex County polls remained open until Apr. 27, 1789. By March 18, when Congress convened in New York, Boudinot, Scheureman, Cadwalader, and Sinnickson were the leading vote-getters, with Clark contending with Sinnickson for the last position. Asserting that “this State may suffer detriment by remaining unrepresented in the Congress of the United States,” WL and the Privy Council declared the West Jersey ticket to be the winners and left it to Congress to determine the validity of the election. Three council members, Asher Holmes, Abraham Kitchel, and Ephraim Martin, officially dissented, arguing that returns were not yet in from all counties. Refer to WL Proclamation, *Brunswick Gazette and Weekly Monitor*, Mar. 24, 1786; *NJA* (Privy Council), 288–90; Evidence before Committee on New Jersey Election [August 1789] (MHi); *Brunswick Gazette*, Mar. 17, 1789; Gaillard Hunt, ed., *The Writings of James Madison* (New York, 1904), 5: 329–31; and De Pauw, *House Journal*, 3.

## Certificate of Election

[March 21, 1789]

The State of New Jersey

To the honourable [ ] Esquire Greeting

Whereas it appears to his Excellency William Livingston Esquire Governor and Commander in Chief of this State and to the Privy Council that you have been elected by the People of this State a Representative to Represent the same in the House of Representatives of the United States agreeably to the [true] [ . . . ] [cast?] & [ . . . ] of a certain Act of the Legislature in that behalf lately made<sup>1</sup> & provided You the said [ ] are<sup>2</sup> therefore by these presents commissioned to represent & vote in behalf of this State in the House of Representatives of the United States for & during the time limited in the Constitution of the said United States.<sup>3</sup>

In testimony whereof the Great Seal of the State is hereunto affixed. Witness William Livingston Esquire Governor Captain General & Commander in Chief in and over the State of New Jersey and Territories therunto belonging Chancellor & Ordinary in the same at Elizabeth Town the twenty first day of March in the year of our Lord one thousand seven hundred & eighty nine & of Our Sovereignty & Independence the thirteenth.

ADf, MHi.

1. For the election act of Nov. 21, 1788, see Jonathan Deare to WL, Jan. 13, 1789, and n. 1.
2. For selection of candidates see WL Proclamation, Mar. 19, 1789, and n. 2 and 3.
3. Refer to John Chetwood to WL, Mar. 26, 1789, and James Scheureman to WL, Mar. 28, 1789 (both MHi). The New Jersey delegation assumed their congressional seats between March 23 and April 13. On Apr. 18, 1789, the House committee on elections submitted a report certifying the credentials of the representatives from all states (De Pauw, *House Journal*, 5, 7, 18, 20, 26).

## To [George Washington]

3d April 1789

Capt. Patrick Dennis<sup>1</sup> conceiving that it may be of service to him to have a certificate of his good character from the Governor of this State, I am glad to find it in my power to oblige him in this behalf, by being able to certify to that purpose in the strongest manner. Capt. Dennis, respecting his private character, has always maintained the most irreproachable reputation. As to his political one, —his attachment to the cause of America during the late war, & many important services which he rendered it, are within my own knowledge. Since the conclusion of the peace, he has been naval officer of the Eastern district of this State for about three years, & has executed it with punctuality & honour: And as I have every reason to consider him as a conscientious man, I make not the least doubt but that he would be faithful & diligent in the discharge of any public office for which he is qualified.

WIL: LIVINGSTON

ALS, DLC:GW.

1. Patrick Dennis was deputy naval officer of customs for the Eastern District of New Jersey. In July 1789 "A Friend to Justice" (perhaps Elizabethtown postmaster William Shute), accused Dennis of extorting money from a Rhode Island boat captain conducting people to New Jersey. Dennis and others denied the charges and alleged they were the product of personal animosity (*N. J. Journal*, July 22, July 29, Aug. 12, Aug. 19, Sept. 2, 1789, Apr. 28, 1790). For WL's previous recommendation of Dennis see WL to Comte d'Estaing, July 14, 1778, and WL to Henry Laurens, July 17, 1778, both in 2:391, 393.

## From Pennsylvania Society for the Abolition of Slavery

Philadelphia 30:4 month 1789

Esteemed Friend

Thy benevolence & known attachment to the just rights of mankind preclude an Apology for the freedom of this application.

Thou hath heard that an Association has been several years past formed in this City to advocate the cause of the oppressed Blacks under the name of the "*Society for the abolition of Slavery and the relief of free negroes unlawfully held in bondage*,"<sup>1</sup> in the course of the execution of this trust, frequent occasions have occurred for recourse to the Laws of the neighbouring states, and being appointed by the society to obtain authenticated Copies of those laws for the necessary information and direction in our proceedings, we solicit the favour of the Governor to direct his secretary to furnish us with a Copy of the Laws lately enacted by the Legislature of New Jersey in favour of that afflicted people<sup>2</sup> & to transmit them to us certified under the seal of the state, the charge of which we shall cheerfully pay & thy friendship herein thankfully acknowledged. We are with due Regard Thy Respectful Friends

AL, PHi.

1. For background on the Pennsylvania Society for Promoting the Abolition of Slavery see WL to James Pemberton, Oct. 20, 1788, n. 2. For the most recent communication between WL and Pennsylvania abolitionists see WL to James Pemberton, Dec. 21, 1788.

2. For New Jersey's manumission law see WL to Pemberton, Oct. 20, 1788, n. 5. There is no record of WL's response.

## To Matthias Ogden

Elizabeth Town 8th June 1789

Sir

I have received your letter of the 6th instant<sup>1</sup> by which "you ask me in behalf of the petitioning electors amounting to upwards of six thousand, that I would be pleased to favour you with a copy of the returns from the different counties of the votes for representatives as above mentioned, particularly specifying on each, the day they were given

in.”<sup>2</sup> My answer to which is that I do not at present see the propriety of complying with your request, as I cannot think it official to make copies of those returns for individuals though they apply in behalf of the Petitioners, which may be with or without any authority from the Petitioners; nor were those papers returned to me as into an office, obliged to give copies to every applicant; And tho’ every citizen of New Jersey may be finally entitled to see them, yet certain it is that not every individual can be entitled to a copy of them from me, because of the impossibility which such a supposition must necessarily involve: But what I conceive, will equally serve the purpose of the Petitioners (whom I consider in a more respectable light than an Individual) & appears to me much more official, I am willing on the request of the Committee of Congress,<sup>3</sup> to furnish them with such copies (the parties paying the copies under my inspection) for the mutual benefit of the contending parties; or to produce the original returns to the Committee on the hearing, or both.

I know of no such facts Sir as you allude to that could possibly be of any use *to communicate you*, as the only two which I officially know & which can have any influence in the matter in controversy will prove that two certain facts set forth in the Petition respecting myself are greatly misrepresented & therefore I presume would not answer your purpose.

As I am informed that the hearing in this case is postponed to the 16th of this month,<sup>4</sup> & therefore will not come on, (as is specified in the papers you transmitted to me)<sup>5</sup> on the 10th, there will be time for a farther consideration of this matter; & if I can be convinced by any person upon whose judgment & impartiality I can depend that I am now mistaking, I shall cheerfully change my present opinion, as I can assure you that I am not influenced by the least bias or predilection in favour of either the contending parties, but heartily wish that strict justice may be done, & as far as it is my duty officially to promote so desirable an object, no partialities if any Hand could, I think, divert me from the path of public rectitude. I am Sir Your most humble & very obedient Servant

WIL: LIVINGSTON

ALS, NjHi.

1. Refer to Matthias Ogden to WL, June 6, 1789 (MiU-C).

2. A letter from Matthias Ogden, appointed a member of the electoral college by the Privy Council on Jan. 7, 1789, accompanied "sundry petitions" to Congress in April 1789, challenging the legality of the New Jersey congressional elections (*NJA* [Privy Council], 286–87; De Pauw, *House Journal*, 38). For background on the election controversy see WL Proclamation, Mar. 19, 1789.

3. On April 29 the House of Representatives referred the New Jersey petitions to the committee on elections. On May 25 the committee submitted a report recommending the establishment of a second committee to hear testimony from both sides, evaluate the evidence, and report to the House. The House concurred with this report (DePauw, *House Journal*, 38, 71).

4. The *House Journal* does not indicate when the committee conducted its hearings.

5. Papers not found.

## From William Livingston, Jr.

Elizabeth Town, 10th July 1789

Dear Sir

After suitable thanks to your Excellency for the enclosed commission<sup>1</sup> I beg leave to return it to you as soon as a successor shall be appointed.<sup>2</sup> Your Excellency will be pleased to direct him to me for the official papers that no time may be lost by the succession.

To lessen the chagrin which a resignation under disagreeable circumstances<sup>3</sup> affords me as well as to abate the disadvantage that the notoriety of it must produce, if the office could be placed in the hands of Mr. Austin<sup>4</sup> a Gentleman on whom you might rely, it would give me peculiar satisfaction. The variety of speculation created by the business could as well be transferred here as elsewhere. I am your Excellency's dutiful son & Obediant servant.

WM. LIVINGSTON JUNR.

ALS, MHi.

1. Enclosure not found. The commission was for Essex County surrogate. For the most recent mention of William Livingston, Jr.'s, difficulties in this position see WL to William Livingston, Jr., Dec. 22, 1787.

2. In August 1789 WL appointed Alexander McWhorter to replace William Livingston, Jr., as Essex County surrogate. Refer to *N. J. Journal*, Aug. 12, 1789.

3. For the most recent mention of William Livingston, Jr.'s, financial problems as Essex County surrogate see WL to Bowes Reed, Dec. 24, 1787. This particular case apparently dealt with the fraudulent issuance of a certificate. Refer to William Livingston, Jr., to WL, Aug. 17, 1789 (MHi).

4. David Austin. William Livingston, Jr., was boarding with the Austins in Elizabethtown. For David Austin's attempt to placate WL in this dispute refer to David Austin to WL, July 7, 1789 (MHi). For the Livingstons' introduction to the Austins, see Joshua Lathrop to WL, July 10, 1788.

## From John Jay

New York, August 6, 1789

Dear Sir

Mr. Thomas<sup>1</sup> has great Reason to be satisfied with your forbearance—he has frequently promised me to pay the interest due on your Bonds, but it still remains unsatisfied.<sup>2</sup> I have written to you as you desire, and will immediately on receipt communicate his answer to you.

Sally's health mends, 'tho' but slowly. Her little boy is well.<sup>3</sup> Peter's Complaint is almost wholly removed, and the girls continue in Health and Spirits. I flatter myself it will not be long before we shall be able to make you a visit. With the best wishes for your Happiness, I am Dear Sir your affectionate, obedient servant,

JOHN JAY

ALS, MHi.

1. Either John Thomas or Thomas Thomas.
2. The Thomas's borrowed £390 worth of bonds from WL. At the time of WL's death in 1790, the principal with interest amounted to £510. Refer to Schedule of Bonds Debts Etc. Belonging to the Estate of Governor Livingston Deceased (MHi).
3. William Jay, named for his maternal grandfather, was born on June 16, 1789. For the most recent mention of Sarah Jay's pregnancy see John Jay to WL, Dec. 22, 1788.

## From Henry Brockholst Livingston

New York 12th August 1789

My Dear Sir,

In the account herewith sent you are credited with the mistake made in the former one.<sup>1</sup>

Domine Hartwick<sup>2</sup> called this morning to apologize for keeping your letter so long. I have asked him to dine with me. He appears to be a very sensible & well informed Man.

My children continue so unwell that I have sent to take rooms on Long Island. If we succeed, Mrs. Livingston will take them out of town to morrow. The weather for some days past has been uncommonly

warm & oppressive. If it continues to much longer we shall have a sickly town of it.<sup>3</sup>

When the severity of the Season is past your friends think you will do well in leaving your retirement for some days and coming to town. By what I have seen & heard I much fear that your too great Indulgence of grief will have an unhappy effect on your Spirits & Health. Those indeed who know the extent of the loss you have sustained, in the death of one of the best of women,<sup>4</sup> cannot be surprized at your affliction, But your family & the public still have claim on you, & while any branch of the former most sincerely console with you on this mournful occasion, they cannot but be thankful to a kind Providence for still continuing to them that Parent, the want of whose assistance must have been more sincerely & longer felt. That he may long remain a blessing to them & his Country, and at last receive the rewards due to virtue & religion is the fervant prayers of his dutiful & affectionate Son.

BROCKHOLST LIVINGSTON

P.S. The things you wrote for were sent yesterday by Mr. Woodruff.<sup>5</sup>

ALS, MHi.

1. Enclosure not found. Henry Brockholst Livingston had previously debited WL £2.10.9. Refer to Henry Brockholst Livingston to WL, July 28, 1789 (N). For the most recent mention of Henry Brockholst Livingston's handling of WL's accounts see Henry Brockholst Livingston to WL, Mar. 12, 1788.

2. Possibly John Hartwick.

3. During the unusually hot summer of 1789, the first known influenza epidemic made its appearance in New York City. Wealthier New Yorkers fled to the summer resorts of New Utrecht, Gravesend (Coney Island), and Far Rockaway on Long Island, where they were accommodated in boarding houses. Henry Brockholst Livingston's family spent the rest of August at one of these resorts. Refer to Henry Brockholst Livingston to WL, Aug. 29, 1789 (MHi).

4. Susannah French Livingston died on July 17, 1789, after a long illness. For a report of her declining health see her letter to WL, [Nov. 30, 1788]. She was buried July 18, 1788, in the Elizabethtown Presbyterian Church cemetery, with Alexander McWhorter performing the service. Refer to *N. Y. Daily Advertiser*, July 21, 1789.

5. Isaac Woodruff. Refer to Henry Brockholst Livingston to WL, Aug. 11, 1789 (MHi).

From William Livingston, Jr.

Elizabeth Town 18th: August 1789

Sir

I did not mean to ground my defence upon the comparative degree of blame I might incur by the transaction in question;<sup>1</sup> no did I mean to make any excuse for it otherwise than by giving you a faithful history of the business itself (which I trusted Mr. Boudinot<sup>2</sup> had done before—if this could not apologize for me—If a Bill's being actually filed at the time the certificate was given, but which was afterwards withdrawn (which is frequently the case) to be engrossed. If an abused confidence in an attorney could not palliate an irregularity, which custom had in some measure sanctioned, nor screen me from the imputation of having violated my Oath of office: what remained for me to do? The irregularity was confessed in the detail, nor could it be supposed that in a matter of this kind, where there was no Interest of my own to serve, I should suffer myself a second time to be imposed upon. Thus stood matters when I received yours of yesterday.<sup>3</sup> I there found myself treated in a manner that nothing but the utmost turpitude in Office could (as I imagined) require. It accused me of perjury—of having falsely certified—& even of combining with an attorney to procure in a fraudulent manner an [Injunction?]. As I felt myself innocent on all these points, my resentment rose on the perusal—it rose too high—expressions escaped me that no usage on your side ought to have extorted. In a cooler moment I see & feel their impropriety & when I ask your pardon for having been betrayed into them, I also promise to keep a stricter guard on myself in future. I am Sir Yours dutifully

WM. LIVINGSTON JUNIOR

ALS, MHi.

1. For the most recent mention of this incident see William Livingston, Jr., to WL, July 10, 1789, and refer to William Livingston, Jr., to WL, Aug. 17, 1789 (MHi).

2. Elias Boudinot.

3. Letter not found.

## From Elias Boudinot

New York Sept[ember 2, 1789]

Dear Sir

I have the pleasure of informing your Excellency that our long Contested Election was finally determined about 12 oClock this day in favour of the sitting Members by a unanimous Vote (except one) after an investigation of several Hours.<sup>1</sup>

The principle which lead the House was that the Governor & Council would have been inexcusable if they had not delayed the Matter, when they found but 7 Counties had returned their Lists.<sup>2</sup> I have the honor to be with great respect Your Excellency's Most Obedient Humble Servant

ELIAS BOUDINOT

ALS, MHi.

1. Although the House Committee on Elections submitted a report July 14, 1789, the House did not vote on the legitimacy of the New Jersey elections until September 2 (De Pauw, *House Journal*, 110–12, 154–55, 178–79). For background on the elections committee see WL to Matthias Ogden, June 8, 1789, and n. 3.

2. For an analysis of the Mar. 3, 1789, Privy Council meeting see WL Proclamation, Mar. 19, 1789, n.3.



*“The gloom of that solitude”*  
*The Livingston Family*

*September 8, 1789—*  
*May 29, 1801*

With the ratification of the Constitution, William Livingston looked forward to having more time to devote to his family and personal pursuits. As he wrote to his son-in-law Matthew Ridley in March 1788, he was anticipating a family reunion at Liberty Hall “next Cherry Time why then with what of my romping with some upon the piazzy & shooting robbins with others out of the mazzard trees & talking & walking with the Elder Boys & girls & their fathers & mothers round the Table, I *pertest* . . . that I would not exchange such a scene of happiness for any gratiss emotion of the grand Liquior.”<sup>1</sup>

Although Livingston enjoyed rare moments of family joy, overall his idyllic vision of the future did not materialize because his duties as New Jersey governor, chancellor, and ordinary did not permit the expected leisure. Then, too, some members of Livingston’s family provided solace and pleasure, but others were a constant source of irritation. In addition, personal tragedy seemed to fill the governor’s life as the decade came to a close. As Livingston frankly admitted to Jay in March 1790, he was lonely and in need of “the company of our friends [which] brightens the gloom of that solitude, which without that temporary & transient lustre, would in a little time reduce us to a perfect monastery.”<sup>2</sup>

Much of Livingston’s loneliness was the inevitable result of age. His children, now grown, began to make lives of their own. Only Susannah remained at home unmarried throughout Livingston’s lifetime. Despite Susannah’s presence both the governor and Mrs. Livingston felt keenly

the absence of their young grandson, Peter Augustus Jay, who had been a great source of pleasure to them during the war years. With the return of the Jays from Europe in 1784, Peter went to live with his parents in New York City. Livingston, pleased that the Jays were back in America, nevertheless regretted the distance between New York and Elizabethtown.

Although Sarah and her husband John Jay gave Livingston “inexpressible pleasure,” the governor admitted that he was “unfortunate in several of my children.”<sup>3</sup> His daughter Judith’s marriage to John Watkins was marred by the latter’s mismanagement of his finances. John Watkins had been heir to a large fortune, but was in continual financial straits. Judith was reduced to begging for money from her father, who gave them what he could despite the fact that his own fortune had been badly compromised by the Revolution.

His daughter Mary, who according to Livingston, had a “terrible temper” that “tormented him”<sup>4</sup> when she was growing up, had married James Linn, whom Livingston clearly considered a ne’er-do-well. By April 1780, the marriage had deteriorated to the point where the couple separated. Much against Livingston’s inclination, Mary returned to Liberty Hall to live with her parents, despite Livingston’s fear that he would “have to live in constant storm & turbulence.”<sup>5</sup> While acknowledging his daughter’s quick temper and sharp tongue, Livingston believed that his son-in-law, who steadfastly refused to contribute further to Mary’s support, was chiefly at fault. As he noted in a Jan. 8, 1788, letter to Sarah Jay, Linn was “a rather worse man than she is a woman.”<sup>6</sup> The Linn’s divorce case was tried in chancery but Livingston excused himself from presiding when it was heard. No court records have been found but apparently Linn agreed to contribute to his wife’s support.

Brockholst, one of Livingston’s favorite children and the one on whom he pinned his greatest hope, also incurred his wrath by his secret marriage to Catharine Ketteltas in 1784. The Ketteltas family, with whom Brockholst boarded in New York City, were respectable merchants but of a lower social class than the Livingstons. In fact, Livingston looked on Catharine as “a person altogether unworthy of that alliance.” Livingston voiced his disappointment to John Jay by noting that Brockholst, “having seen some of the best-bred women in France & Spain; having travelled thro so considerable a part of Europe . . . & being intitled to pay his addresses to the Fair of the first rank & fortune in New York,” was throwing “himself away upon—his landlady’s daughter.”<sup>7</sup> Livingston at first

contemplated severing relations with Brockholst but finally settled for not having anything to do with his new daughter-in-law.

Brockholst regained his father's favor but his elder brother William, Jr., was the constant target of his father's criticisms. Even when William, Jr., attacked Livingston's political enemies, the governor frequently took "it for granted from . . . his imprudence that he is in the wrong."<sup>8</sup> William, Jr., with an unfortunate propensity to gamble and drink, could not hold a job and continually got himself into debt. Much against his will, Livingston in 1781, at the urging of his wife and daughters, secured for William, Jr., an appointment as surrogate in the chancery court. In 1787, much to the governor's chagrin, his son, perennially in debt because of his gambling, failed to pay Livingston's political enemy and chancery clerk Bowes Reed the fees from his office. Livingston wrote a letter of apology to Reed and a scathing letter to his son, informing him he would be dismissed if he failed to pay Reed the fees due him. In July 1789 William, Jr., accused of misconduct in office, was forced to resign his post.

The governor was further distressed when he learned that his son was having an affair with a servant, Mary Lennington, who worked in the household of the Rev. David Austin, where William, Jr., boarded. The governor, forgetting his own youthful indiscretions, was furious when Mary Lennington became pregnant. Knowledge of this pregnancy may well have led Livingston to cut his son out of his will. Livingston later modified his will so that William, Jr., who at some point married Mary Lennington, eventually received an equal share of the estate with his brother and sisters.

While Livingston was displeased with the marital choices of Brockholst, Judith, Mary, and William, he sincerely admired the spouses of his daughters Sarah and Catharine. Sarah's husband John Jay, was particularly respected by Livingston, who throughout his life apparently remained in ignorance of his son Brockholst's intense and reciprocated hatred of Jay. Both men took pains to hide their seething enmity from the governor, thus sparing him the anguish of arbitrating between a favored son and a well-liked son-in-law. The family's efforts to spare Livingston apparently extended to his wife Susannah French Livingston. Brockholst informed his mother of his side in a dispute with Jay over money due Brockholst, but the governor remained in blissful ignorance.<sup>9</sup>

Livingston also took pleasure in another son-in-law, Catharine's hus-

band Matthew Ridley. Much to Livingston's delight, the couple married in 1787. Livingston paid Ridley the highest possible compliment when he wrote to Jay that his new son-in-law "is more like yourself in many instances than any man I know."<sup>10</sup>

The pleasures and pains of family life formed a backdrop to Livingston's successful professional career. Re-elected to the governorship of New Jersey every year until his death, Livingston was flattered in 1785 by congressional acknowledgement of his abilities when he was appointed as minister to the Netherlands. He declined the honor regretfully, citing his age. As he told Charles Stewart, "was I twenty years younger than I am, I should make no excuse." Instead he decided to remain as governor, "as long as New Jersey shall choose to continue me in that service." In his formal letter to Charles Thomson declining the honor Livingston referred again to his advanced "time of life" and the inevitable "infirmities both of body & mind."<sup>11</sup>

Livingston also found pleasure in the postwar years by indulging in horticulture and botany. He continually asked travellers abroad to collect seeds, which he took pride and pleasure in cultivating in the gardens at Liberty Hall or at his farm in Parsippany, both of which received his careful and loving attention. His interest in science remained acute throughout his life. He supported John Fitch's petition for funds to construct a steamboat and he maintained a correspondence with many of America's leading scientific practitioners. These included Jedidiah Morse, who asked Livingston to critique his *Geography* and then dedicated its first edition to the governor.

Livingston, wary of the directionless drift of the government and concerned by declining morals in the American people, renewed his literary career after the Revolution. With pardonable pride, in 1788 he agreed to submit a number of articles to Mathew Carey for publication in his new periodical *The American Museum*. Several of Livingston's pre- and post-revolutionary essays were published by Carey, most after Livingston's death.

The occupations of office and the pursuits of leisure activities could not prevent the vicissitudes of age or the depression that followed the death of so many of his contemporaries. Predictably, no death affected Livingston as much as that of his wife Susannah. Clearly a love match, the affection between the two lasted throughout a marriage that spanned forty-two years. In a Mar. 4, 1786, letter to his wife, Livingston nostalgically dwelt on "a certain flower that I once saw in a certain garden;

and however that flower may have since faded, towards the evening of that day, I shall always remember how it bloomed in the morning; nor shall I ever love it the less . . . I love you most affectionately," he concluded.<sup>12</sup> Susannah's death on July 17, 1789, threw Livingston into so deep a depression that Brockholst warned the governor that it would "have an unhappy effect on your Spirits and Health."<sup>13</sup>

Brockholst's dire prediction was fulfilled all too soon. With the death of his wife, Livingston lost interest in life, particularly after another family tragedy occurred in November 1789, when Matthew Ridley took ill suddenly and died. Catharine, pregnant at the time of her husband's death, became seriously ill. When she recovered in January 1790 she asked permission from her father to return to live at Liberty Hall with her children and her slaves. Livingston responded "Both those losses coming upon us so unexpectedly & in such swift succession, are trying indeed; and I hope we may not too soon forget them; but I also hope that in remembering them, we may remember them to our spiritual benefit . . . but to be resigned, & acquiesce in, the will of heaven . . . Come my dear child the mean while with your dear little ones to an affectionate Father as speedily as possible."<sup>14</sup>

Grief brought on physical ailments to a man who had previously enjoyed perfect health. By the winter 1789–1790 Livingston "had almost lost his memory, asking the same questions, & telling the same stories several times in the space of a day."<sup>15</sup> The governor's search for some alleviation to his mental pain caused him to believe for a time the fanciful story told by a sailor, Charles Blinckhorn. In January 1790 Blinckhorn informed Livingston that his son John, lost at sea in 1781, was alive and held in captivity in Algiers. The story, a cruel hoax, proved false, and Livingston was again thrown into the gloom of loneliness.

Despite his impaired health, the governor attended a final assembly session in the spring of 1790 at Perth Amboy. On June 12, 1790, Livingston returned to Elizabethtown complaining of a pain in his chest. Doctors were summoned and diagnosed the pain as a symptom of dropsy. Medication did not alleviate the pain, and Susannah Livingston later wrote to Catharine Ridley, "The more I reflect on the patience and fortitude with which he supported his last illness, the more I am astonished at it; he never uttered a complaining word: the most he ever said, was, I can't hold it long if I do not get relief."<sup>16</sup> Tended by his daughters Susannah and Mary Linn, Livingston died on Sunday, July 25, 1790, at eleven o'clock at night.

William Livingston, propagandist, libertarian, and statesman, was buried from the Elizabethtown Presbyterian Church on July 27, 1790, his funeral oration given by minister Alexander McWhorter. In the widely reprinted eulogy McWhorter decried the loss of this multifaceted man to the nation. "He was a glory to the State," said McWhorter, "a credit to the republic of letters—an honor to this town, and one of the brightest ornaments of this church. How great the loss, which his family and friends sustain! How great the loss to literature and science! How great the loss to this State! . . . The Head—the Guide—the Director—and he who held the helm of our government, is no more!"<sup>17</sup>

Following Livingston's death, Susannah, Catharine, and Mary went to live temporarily with the Jays in New York. William Jr., took over possession of the family farm at Parsippany until a threatened law suit by Brockholst had him evicted. He was thrown into debtor's prison, and when released moved to Long Island with his wife, where he died in 1817. In 1794 Susannah married land speculator John Cleves Symmes and moved with him to the Ohio Territory. Catharine married a second time to her cousin John Livingston in 1796, but suffered more tragedy as her children were carried off in the yellow fever epidemics of the 1790s.

Liberty Hall, built with care and attention by the governor before the Revolution, remained in the family's hands until 1798. At that time Brockholst sold it to Lord Bolingbroke who lived there until 1806. The estate then changed hands several times until 1811 when it was returned to the Livingston family with its purchase by Susan Niemcewicz, William Livingston's niece, the wife of the Polish patriot, Count Julian Ursyn Niemcewicz. The countess had been married before to John Keen of Charleston. At her death, Liberty Hall was inherited by her son Peter Kean. Liberty Hall, the home of William Livingston, first governor of the State of New Jersey, remains in the hands of the Kean family to the present day.

1. WL to Matthew Ridley, Mar. 10, 1788.
2. WL to John Jay, Mar. 23, 1790.
3. WL to John Jay, Mar. 21, 1785.
4. WL to Mary Livingston Linn, [Apr. 23, 1780], 3:367.
5. WL to Mary Livingston Linn, Apr. 28, 1780, 3:369–70.
6. WL to Sarah Jay, Jan. 8, 1788.
7. WL to John Jay, Jan. 5, 1785.
8. WL to Elias Dayton, Oct. 30, 1784.

9. Refer to Henry Brockholst Livingston to Susannah French Livingston, June 27, 1787 (MHi, Bk. 2).
10. WL to John Jay, Sept. 4, 1787.
11. WL to Charles Stewart, Mar. 21, 1785; WL to Charles Thomson, June 25, 1785.
12. WL to Susannah French Livingston, Mar. 4, 1786.
13. Henry Brockholst Livingston to WL, Aug. 12, 1789.
14. WL to Catharine Livingston Ridley, Feb. 2, 1790.
15. Henry Brockholst Livingston to Susannah Livingston, Mar. 24, 1790.
16. Susannah Livingston to Catharine Livingston Ridley, July 24, 1780.
17. Alexander McWhorter, "Character of His Excellency, William Livingston," *The Christian's & Scholars Magazine*, Aug.–Sept. 1780, 332–34.

## From Robert Livingston

Manor Livingston 8 September 1789

My Dear Brother

I received your Sorrowfull letter of the 20 July Some days ago,<sup>1</sup> you will believe me when I tell you that am Sincearly affected for the great loss you have met with.<sup>2</sup> As I have experienced the like to my great Sorrow and Misfortune in my Old day when their assisting hand was most wanted, but as its the Lords hand we have not a word to Say, but thy will be done & calmly to Submitt to his Providential will, they will no more return to us but we hope to go to them, & joyn them in bringing the Hevenly Halalujahs to our Eternal King.

Since the receipt of your letter I made it my business to look out, & enquire for an overseer for you, & desired my Sons to do the same, but have not been able to Succeed, nor do we beleive any is to be had about us we dare recommend, as we can not keep any ourselves longer then a few months the wages you offer is high, & Quite addequate to the labour in Case we should by accident as it were hear of any Shall let you know. Our Sister Lawrence<sup>3</sup> is now with me, & in good health, & so is my Son Robert with his wife & Children all in full health God be praised. He & his wife are now going down with my sloop. The Children will go next trip with Sister, who joyns me in love to you & Couz: Susan<sup>4</sup> am you Affectionate Brother

ROB LIVINGSTON

ALS, MHi.

1. Letter not found.
2. For the most recent mention of Susannah French Livingston's death see Henry Brockholst Livingston to WL, Aug. 12, 1789.
3. Catherine Livingston Lawrence.
4. Susannah Livingston.

## From Joshua Lathrop

Norwich September 15 1789

Honorable &amp; Dear Sir

In Addition to the Satisfaction of meeting with Mr. Austin & my Daughter at New Haven,<sup>1</sup> I had ye Pleasure of receiving your agreeable favour of the 24th Ultimo<sup>2</sup> which breaths not only the Spirit of Philosophy, but the better Spirit of a Christian, which as Doctor Young expresses it “a Christian, is the highest Stile of man.”<sup>3</sup>

And with Such a Spirit & temper [ . . . ] as I hope you will be continually Supported in this the time of your Sorrow.<sup>4</sup> I don't doubt but every apartment of your House, [as] well as the once agreeable walks of your Garden, and its Parterre blooming with the most delicious flowers may all appear to wear a melancholly Gloom. Since She who lately partook with you in all these delightfull Scens is flead and the places that once knew her will know her no more. But what a comfort it must be to you to know that She has [ . . . ] the Death of the Riteous and that your loss is & will be her unspeakable gain.

Nature & even sanctified Nature, as you Justly observe, will at time complain, and tis lawfull that it Should when kept within bounds & not Suffered to murmer at Gods afflictive Providences, but Surely the Christian has great reason to be calm & composed when he considers that the great Lord of the universe who rules in the armies of Heaven above & amongst [the] Inhabitance of the Earth below is infinitely wise & will always do that which is right & best. Although we Short Sighted Creatures may not be able fully to See it. Holy Job could Say under his Sored afflictions “the Lord gave & the Lord has taken away & blessed be his name”<sup>5</sup> and one greater than Job could Say if this Cup may not pass away but must be drank thy will be done.<sup>6</sup>

We are told that Affliction for the present is not Joyous but greivous. Nevertheless it worketh the peaceable fruits of Riteousness to those who are exercised thereby—let us think then that whatever is by the direction of Heaven, is best and be able to Say though he Slay me yet will I trust in him.

Dear Sir we are arrived to the last Stage of life; we have Seen most of

our coequals and many in younger life quitting the Stage of life and going down to the Grave the house appointed for all living and according to the common cause of Nature we can't expect to continue long may we learn to live by the faith of the Son of God. The life that we live in the flesh, even as Seeing him who is miserable that so for us to live may be Christ & to Die may be gain that living or dying we may be the Lords.

“What tho' we made in Wealth, or soar in fame  
 Earths highest Station and in, Here he lies:  
 And Dust to Dust concludes her noblest Song.”<sup>7</sup>

Mrs. Lathrop Joins me in most Sincere respect, with Sir Your most Humble Servant

JOSHUA LATHROP

ALS, MHi.

1. For previous reference to Lathrop's daughter, Mrs. David Austin, see Joshua Lathrop to WL, July 10, 1788.
2. Letter not found.
3. Edward Young, *Night Thoughts on Life, Death, and Immortality*, Night IV, “The Christian Triumph,” l. 789.
4. For previous mention of the death of Susannah French Livingston see Robert Livingston to WL, Sept. 8, 1789.
5. Job 1:21.
6. Matthew 26:39. The actual wording is “let this cup pass from me; nevertheless not as I will, but as thou wilt.”
7. Young, *Night Thoughts*, Night IV, ll. 98–100.

To Isaac Collins

Elizabeth Town 19th September 1789

Sir

I have but this day received yours of the 4th. instant,<sup>1</sup> & am happy to find you concur with me in sentiment that what I thought an error in your edition of the New Testament, is so, in your opinion: & still more happy in finding you so very correct in that Edition that I have not discovered another mistake in it though my life by a kind providence hath been so prolonged as to enable me to read it more than once.

I should think it no disagreeable task to examine your proof-sheets of

the Edition of the Bible which you are about printing, as such a task would necessarily exact a most Scrutinizing eye & perhaps furnish by that means, a fresh opportunity to discover new wonders in that most wonderful of all Books, which is therefore properly stiled *the Bible* that is by way of eminence, *the Book*. I am however persuaded, with the Friends, that whatever light men of letters may by their literature be capacited to throw upon some historical passages of it, the real spiritual meaning of the rest, is only discoverable by the internal illuminations of the *Father of Lights*. But respecting the correction of literal & typographical errors, I might probably be of some service, having acquired, from being accustomed in my younger years to examine the proof-sheets of my own juvenile productions, but more especially by daily comparing, in the way of my profession as a Lawyer, the copy with the original, a very piercing eye at discerning the least *erratum*: But the objection you mention against my undertaking this agreeable office I mean the distance of place between us, is truly of great weight & almost insurmountable. To this I might add, my want of leisure in the station, to which the good people of New Jersey, have, beyond my deserts, thought proper to raise me; though the latter reason may perhaps, by the strenuous effort of the *Would-be's* in this County, to discard an old fellow at the next election for Governor, be removed; & why should they not succeed, considering what a miracle it is that any honest man should be long continued in Office after having given sufficient proof of his honesty?

I am entirely of your mind that the world in general, is *too wise* to such information in those holy writings. But then *such wise men* ought to remember that such their *worldly wisdom* is *foolishness*<sup>2</sup> with God; as the preaching of the Gospel is *foolishness* to *such wise men*. But I am of your Opinion, & for a reason which you have not assigned, that the Temple is too much occupied, as in old time, by those who "sell oxen & sheep & doves;"<sup>3</sup> because those merchants, though Jews gave a man for his money, if not spiritual manna, at least good beef mutton and fowls, whereas some of their successors ask money for words that will nourish neither soul nor body. I am your real friend

WIL: LIVINGSTON

ALS, PHi.

1. Refer to Isaac Collins to WL, Sept. 4, 1789 (MHi), in which Collins thanks WL for catching an error in the Epistle to the Hebrews in Collins's edition of *The New Testament*. Collins also requested that WL read the proof sheets for the edition.

2. 1 Corinthians 3:19: "the wisdom of this world is foolishness with God."

3. John 2:14.

## To the Assembly

Perth-Amboy, 13th November 1789.

GENTLEMEN,

THE present mode of examining Witnesses in Causes depending in the Court of Chancery of this State,<sup>1</sup> is not only exceedingly Expensive, but not so well calculated for the investigation of the Truth as that which is used in every other of our Judicatories which is in open Court, and in the presence of both of the Parties litigant.

1, As to the Expencc.

1st, The Witnesses in the Court of Chancery, are all examined upon Written interrogatories, previously filed with the Examiner, both by the Complainant and Defendant, and the Answers of such Witnesses to every Interrogatory are reduced to Writing, not only as to what they can depose in favor of the Party producing them, but also of their non-knowledge of those Facts of which they are ignorant, if concerning such Facts there are any Interrogatories which scarcely ever fails to be the case.

2dly, Cross-Interrogatories are also filed by the adverse Party, that is to say by both Parties, as mutually adverse to each other for the purpose of inducing the Witnesses to declare such Facts as they would not be induced to declare by any of the Interrogatories filed by the Party producing them, and to which the Examiner are officially bound to adhere in questioning them without the liberty of proposing any other question for the farther elucidation of the Truth.

3dly, Of such Interrogatories, Cross-Interrogatories, and of the Depositions taken in consequence of them, Copies are made by the Examiner for the Council learned in the Law for each of the Parties.

Hence it is easy to see to what an enormous Expence most of the Suits prosecuted in that Court, must inevitably amount, and this in re-

ality is the principal if not the only cause of that Court's being more Expensive than any other Tribunal in the State.

But for a stronger reason than the one already assigned, this mode of Taking the Testimony of Witnesses in that Court, appears to me, to require the interposition of the Legislature; because,

II, It is not so effectual for the discovery of the Truth, as that of examining the Witnesses in open Court, and in the presence of the Parties, which is the practice of all our other Judicatories.

1st, Because both Parties being present in those Judicatories, the Evidence given by a Witness produced by one of them, naturally leads his Antagonist so to cross-examine him, as finally to bring out the *whole* Truth, which, in the examinations in question, is the more difficult to affect, on account of its being for the most part utterly unknown by the adverse Party, what the Witness will depose before the Examiner.

2d. From the very countenance and demeanor of a Witness produced in open Court, not a little may be collected respecting his veracity, as when for instance, he appears on the one Hand, equally frank to answer all questions proposed by either of the Parties, or on the contrary, is very prompt and liberal in his communications in favor of the Party producing him, but must so to speak, be withdrawn before he will declare any thing to the advantage of the opposite side, though equally in his knowledge, and equally bound by his Oath to do it, and consequently shewing a reluctance against declaring the *whole* Truth, and thereby proportionably invalidating his Testimony in the opinion of all the Spectators and Audience.

3dly, From the contrariety of the Evidence given, and which is the natural result of the present mode of examining Witnesses in Suits depending in the Court of Chancery it has in some cases been absolutely impossible for the Chancellor to satisfy himself relative to the Truth of certain Facts of the greatest importance to the determination of the controversy, and which he has therefore been obliged to refer to a Master of that Court for further examination, the additional expence of which reference, is very considerable.

I therefore think it my Duty, Gentlemen, to recommend it to the Legislature, to abolish the present practice of examining Witnesses in the Court of Chancery, and to adopt in the room of it, the practice of our Court of Admiralty of examining them in open Court, and in the

presence of the Parties, a proper Officer of the Court taking down in Writing the substance of the Evidence, in order to prevent the misrepresentation of it upon the hearing of the Cause, and to refresh the Memory of the Chancellor when deliberating upon his Decree, or that the Legislature provide such other remedy in the premises, as they in their Wisdom shall think most conducive to the furtherance of Justice in the said Court.<sup>2</sup>

WIL: LIVINGSTON

Assembly, *Votes*. 70–71.

1. For an earlier description by WL of the court of chancery see WL to William Livingston, Jr., Jan. 19, 1781, 4:126–27.

2. The issue was referred to a committee composed of John Chetwood, James Kinsey, and Abraham Ogden for investigation. The current case in chancery, *Joseph Bowne v. William and Sarah Voorhees*, involved the refusal of Joseph Bowne to pay Sarah Voorhees widow's dower upon a portion of the estate of her deceased husband Hendrick Voorhees, Sr. Her son William Voorhees acted as her agent and William Paterson was her legal counsel. For the complete trial, including court testimony, refer to *Joseph Bowne v. William and Sarah Voorhees* 1789 (Nj; NjMoHP). As a result of the committee's investigation, the legislature passed an act in accordance with WL's recommendations. Refer to "An Act to direct the Mode of Examination of Witnesses in the Court of Chancery, and for other Purposes therein mentioned" (*Acts* [Oct. 26, 1790–Nov. 26, 1790], 681–83).

From Richard Carson

Baltimore Sunday Night 15 Nov 1789

Sir

By last thursdays post<sup>1</sup> I requested Mr. William Seton of New York to acquaint Mr. Jays Family, also your good daughter Miss Susan of Mr. Ridleys<sup>2</sup> being in Town, and then dangerously ill, proceeding from a great cold which terminated in a nervous fever. I am much distress on the present Melancholy occasion to inform you he died on friday last between the hours of one and two and was buried yesterday evening. On Wednesday evening Mrs. Ridley<sup>3</sup> was sent for at the desire of many friends, but the delicate situation she was in, added to a late spell of sickness, she had not recovered from, there was little hopes of seeing her here, and contrary to all expectation she got to Town yesterday at two oClock, and is now at my House. She is attended by Mrs. Rogers, and Mrs. Harris, two Ladies well known to your Daughter Susan; she

was in so weak a state from her Journey on her arrival, from the fatigues of the Jaunt, it was Judged prudent, not to mention what had happened till this day, tho' from circumstances, and the countenances of her friends she mistrusted, the cause.

I have now the pleasure to inform you she had a tolerable night, and appears much composed, from the report of the Ladies her attendants. At her request Mr. Russell is gone to bring her Child,<sup>4</sup> and make the necessary arrangements at the Susquehannah<sup>5</sup> to prevent any embezzlements there,— that Gentleman in conjunction with Mr. A. Campbell, two very respectable characters, have done every thing for the security of all property lying here, till Mrs. Ridleys recovery, and her Family apprized of this distressing event, all of which I hope will be approved of by you and them. It is necessary for me to mention further, it was Mr. Ridleys particular desire, his Lady should administer on the Estate, this subject has not been hinted to her, and the Gentlemen before mentioned continue their good offices till they hear from your Family, or your Daughters perfect recovery.

Words cannot express the attention and respect of the numerous friends of Mrs. Ridley and the Town in general, on this truly melancholy occasion.

I cannot conclude without mentioning a subject the most painfull, the grief I feel at the recollection of the loss of your amiable Lady.<sup>6</sup> I am happy however to hear through your Family that you have had fortitude to bear up against one of the several afflictions. My best respects wait on you and Family. I have the honor to be Sir Your Most Obedient Humble Servant

RICHARD CARSON

P.S. My own distress on this occasion will apologize for the hurry I am now in. If Miss Livingston wishes to come on my Son will on the first notice set out to wait on her.

ALS, MHi.

1. Letter not found, but refer to John Jay to WL, Nov. 18, 1789 (MHi).
2. Matthew Ridley
3. Catharine Livingston Ridley. For Catharine Livingston's marriage to Matthew Ridley see Matthew Ridley to WL, July 16, 1787, n. 3.
4. Essex Ridley.
5. The Ridleys's country home. For WL's visit to Susquehanna see WL to John Jay, Sept. 4, 1787.

6. For the death of Susannah French Livingston see Henry Brockholst Livingston to WL, Aug. 12, 1789.

## Bill to Amend Constitution

Nov. 20, 1789

### STATE OF NEW-JERSEY

An Act to ratify, on the part of this State, certain amendments to the Constitution of the United States<sup>1</sup>

WHEREAS the Congress of the United States, begun and held at the city of New-York on Wednesday the fourth day of March one thousand seven hundred and eighty-nine, resolved, two thirds of both Houses concurring, that sundry articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States; all or any of which articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution. And whereas the President of the United States did in pursuance of a resolve of the Senate and House of Representatives of the United States of America, in Congress assembled, transmit to the Governor of this State the amendments proposed by Congress, which were by him laid before the Legislature, for their consideration,—wherefore,<sup>2</sup>

I. Be it enacted by the Council and General Assembly of this State, and by the authority of the same it is hereby enacted, that the following articles proposed by Congress in addition to and amendment of the Constitution of the United States, to wit:

Here follow verbatim, the first, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth articles of the said amendments proposed by Congress to the Legislatures of the several States be, and the same are hereby ratified and adopted by the State of New-Jersey.

Council Chamber, November 20, 1789—

This Bill having been three times read in council, resolved that the same do pass. By order of the House,

WIL: LIVINGSTON

Linda Grant De Pauw, ed., *Documentary History of the First Federal Congress, 1789–1791*, 1:475.

1. For previous reference to the Bill of Rights see WL to the Assembly, Aug. 29, 1788, n. 1.

2. On July 28, 1789, the United States House of Representatives appointed a committee of eleven to consider amending the federal Constitution. The committee later submitted, and the House on Aug. 24, 1789, approved, a package of seventeen amendments. These amendments covered freedom of speech, religion, and the press and protection against quartering troops and from unreasonable searches and seizures. Several amendments dealt with the nature and function of the legal system and the division of power among the branches of the federal government and between the federal and state governments. Subsequent actions by the House, the Senate, and a joint committee of September 1789, reduced the package to twelve amendments. Congress combined some amendments, such as the third, which protected freedom of religion, and the fourth, which guaranteed freedom of speech, and eliminated others, such as the sixteenth, which established strict lines of demarcation between the executive, legislative, and judicial branches of the federal government. On Sept. 26, 1789, the Senate approved a House resolution requesting the president to transmit copies of these proposals to the executive of each state. Ten of these twelve amendments later constituted the Bill of Rights to the Constitution (*Journal of the House of Representatives* [Washington D.C., 1826], 1:67, 79, 85–89, 115–16, 120–22; De Pauw, *Senate Journal* [Baltimore, 1972], 1:134–38, 148–68, 192, 198, 208–10).

## To the President of the United States of America

December 7, 1789

The address of the Legislature of New-Jersey—<sup>1</sup>

Though fully sensible of the trouble & interruption occasioned by the numerous addresses of congratulation, on your acceptance of the highest office in the nation, they could neither forgive themselves, nor expect the pardon of their constituents, should they neglect in this their first meeting after the organization of the federal government, to express their joy, on seeing you Sir, at the head of the United States.<sup>2</sup>

New-Jersey having been the central Theatre of the late War and the Scene of some of the most important military operations,<sup>3</sup> which distinguished the american army & added new lustre to their illustrious commander, we are peculiarly induced to commemorate those brilliant exploits, which while immortalizing your Name, will give immortality to the State in which they were exhibited.

But while we add our voice to that of the World in celebrating your military achievements, we cannot refrain from doing justice to that at-

tention which you always paid to the municipal department, & your inflexible perseverance amidst all the dire necessities of war in never sacrificing the rights of the citizen to the convenience of the soldier. Thus while equal to the most renowned warriors as a Hero, you surpassed them all as a good subject & subordinate to Law.

Adulation Sir, we are as much indisposed to offer, as you can be disinclined to receive, but we can assure you that the State of New Jersey will to the utmost of its abilities ever strengthen and support you in the discharge of your high and momentous Trust.

We conclude with imploring upon you the divine benediction & earnestly pray that the same kind Providence which hath conducted you with so much honour to yourself & such unspeakable felicity to the public, through innumerable difficulties & dangers, may long continue you a blessing to the United States, in your present important office, and at last crown you with that palm of victory, which is promised to those who by supernatural assistance shall finally prove to be *more than conquerors*.

This State was one of the foremost & most Unanimous in adopting the Constitution,<sup>4</sup> as every voice called you forth to the office of Chief Magistrate, & every heart looked up to you prosperity & good Government, we may, we trust, assure you

ADf, Nj.

1. For the final message, based on WL's draft, refer to *Legislative Council* (May 15, 1783–June 12, 1790), 34–35.

2. Washington's formal inauguration took place Apr. 30, 1789. For Washington's election see Jonathan Deare to WL, Mar. 7, 1789, and n. 1.

3. Much of the revolutionary war fighting occurred in New Jersey, with the last major battle at Springfield in June 1780. For information on this battle see WL to Samuel Huntington, June 20, 1780, 3:436–37.

4. For New Jersey's ratification of the Constitution see WL to George Clinton, Jan. 9, 1788.

To John Jay

Elizabeth Town January 18th. 1790

Dear Sir

Yesterday I was called upon by a Sailor of the name of Charles Blinckhorn, who told me that he lives in West Nottingham in Maryland

where he has a Wife & 3 Children, & whither he is now travelling on foot from Boston, where he lately arrived from Sea.

That he sailed as Cook on Board the Brig Betsey commanded by Captain Joseph Ross out of the Port of Philadelphia in August 1785. That they were taken on the 14th of September following by the Algerines, & carried into Algiers.<sup>1</sup> That the Mariners were obliged to cast Lots for being put to the Mines or the Gallies or to work at the fortifications. That (after having worked at hard labor for 3 years at Algiers) he was put on board of a Row Galley commanded by Captain Lagallow an Algerine—on Board of which all the Prisoners were very cruelly used & almost starved.

That a few days after they began their Cruize, (on the 21st. of September 1789) the Galley was taken by Captain Leghorn a Spaniard, & the Crew carried into New Orleans— where those of the Galley's crew who were Prisoners to the Algerines were set at Liberty.

That from thence they set sail for the Savannah on which passage the Ship sprung a leak, & all the hands except two were lost, which were himself & John Gaudy, who were taken up in her long boat after having been in it 2 days & 2 nights, by Captain Robinson in a Schooner bound to Savannah.

So far all the foregoing principal facts that can be supposed to lay in the knowledge of the Subscribers to his Certificate are certified by the said Captain Robinson, & John Thompson who was part owner of the Brig Betsey (in which this Blinckhorn first put to Sea) as well as by several others at Savannah, who recommend him as an object of Charity to carry him to his Native Country.

That being unable to travel by Land to Maryland, from Savannah (where he was landed by Captain Robinson) by reason of his bodily indisposition, occasioned by his severe usage among the Algerines, & particularly on account of his lameness (under which he still labours) & not meeting there with any Vessel bound to Philadelphia or New-York, he embarked on board of one bound for Boston, whence he is now travelling on foot to Maryland as first mentioned.

That while at Algiers, & working at the Fortifications, he met with a young Man who appeared to him about 25 years of age, of a slender make & tall Stature, & who was kept at very hard labor, who told him that he had been taken by the Algerines during the last War, he being on a Cruizing Voyage in a Privateer.

That his name was John Livingston,<sup>2</sup> & that he had 2 Brothers, the one named William & the other Brockholst.

That his Father's Name was also William & that he had lived about 20 years in the Jersies.

That he had (as Blinkhorn thinks he said) 4 sisters & two of them married.

That he (Blinckhorn) saw two Men of a more advanced age, at work with this young Man, who were taken at the same time, but whether in the same Vessel or in another in company with her, he does not remember & their names were Reynolds & Minors.

Whether this Man is an imposter as to what he says relative to my Son is impossible for me to determine; certain it is that he makes such mistakes in his description of his Person, as that he is lame has a cast in his left eye & a scar on his forehead, tho' he declares that he has frequently messed with him, & with him been harnessed to the same Carriage, as to induce a strong suspicion of his veracity.

But I think that if it could be ascertained that there were two Men on Board of the Saratoga (in which my Son sailed) of the Name of Reynolds, & Minors, (which as she was a Continental Vessel of War, I suppose may be easily ascertained) it might add probability to his Story; tho' if he be really a Rogue, he might have informed himself of that fact, the better to colour his imposture.

If however, you could put me into a way to make enquiry into that Country, I should be much obliged to you; I am sensible of the difficulty of access to that nest of Pyrates. But as the British have a Consul, I think, at Algiers, perhaps a Letter to him from their Consul at New York by the way of London might tend to the discovery. I am Sir Your most humble Servant

WIL: LIVINGSTON

LS, NNC.

1. During treaty negotiations with the United States, the Emperor of Morocco (not the Dey of Algiers) in June 1785 seized the vessel *Betsy* and detained the vessel and its crew at Tangiers so the treaty could be concluded in Morocco's favor. As a result of Spanish intervention the *Betsy* and her crew were released and arrived safely in Cádiz on July 18, 1785. Refer to Louis Gouplet to William Carmichael, June 25, 1785, in *The Diplomatic Correspondence of the United States, Sept. 10, 1783 to Mar. 4, 1789* (Washington, D.C., 1833–34), 2:379. For United States negotiations with Morocco see John Jay to WL, July 27, 1787.

2. For John Lawrence Livingston's loss at sea see Catharine Livingston to WL, June 8, 1781, 4:217–19.

## From Catharine Livingston Ridley

Baltimore 20th January [1790]

I wrote to you my dear Father some time ago<sup>1</sup> by Mr. William Smith of this Town in Congress. I hope the same came to hand. I am yet at Mr. Cursons,<sup>2</sup> It is his wish that I should continue with him all winter, it is extremely kind in him, but It is absolutely necessary that I get to my own house, my servants as I am here have little or no employ and Idleness will be no advantage to them, I am now only waiting for the weather to clear, it has for some time been very damp, I have a cold and my Susan<sup>3</sup> has had the measels pretty severe, her eyes are not yet well nor has her cough left her; I am fearful on her account of changing my lodgings; In the Spring if it please God to spare us all till then, I purpose coming with my little folks to you, will it be agreeable to you for me to bring my house servants with me, Jenny is of middle age, Wife to James that was with me in Jersey. Jenny is steady & orderly, she is a good kitchen Woman, she has been my cook, washes & Irons well, James can take care of horses & work in the garden, I never had any in the garden but him & Lon at the Bay, we had all summer & this fall a profusion of every thing that was necessary out of it, the overseers family was supplied from it, & twice a week the quarter and they by no means worked constant in it, I had one or other to drive me when ever I choose to go abroad, James worked in the harvest the whole time & in the hay making, he is an excellent mower, and Lon did Jobs about the house assisting the Carpenter. I cleaned & took care of all the garden seeds, I have wrote to the overseer to send them to me, I hope I shall get them as I purpose sending them to you, it is good to change seeds I think what I had were good, I have now a half bushel of dried lima beans for the winter & a firkin<sup>4</sup> of green beans salted down my cabbages & cullyflowers they have not sent me. James has but one fault, he cannot be said to be perfectly sober, because he sometimes is otherwise, but very seldom, seldomer then any white Servant you ever had, Phillis is about twenty as sober & honest as I am myself I value her more then any white person that ever lived with me, she is a very handy house servant she waits at table & can indeed do any thing, I shall never forget

her kindness to me in my long illness & the attachment & tenderness she has shown me since my affliction. Susan<sup>5</sup> knows her qualifications if these three servants will not equal to the work of your family, I have a little girl of eight years old not such a wicked one as Sal, but if on trial you did not approve of her I would put her out directly, you may depend on it you would live more comfortable with a set of sober orderly blacks then such whites as you are under the necessity of hiring,<sup>6</sup> I can sincerely say that it is your & Susans peace & comfort I have in view, & not my interest for I can hire out every one of them here & unless you dismiss your Whites instead of adding to your happiness I should encrease your trouble. I will not make any arrangement respecting the disposition of any of them, till you & Susan have taken the matter into consideration, & I have your answer, I have beside these Paris, London, & Tom. Sister Jay wrote to me some time ago respecting Paris.<sup>7</sup> I proposed to her to take London as Paris cannot drive a carriage, but have not had her answer. I am only waiting for that, shall if she dont take him hire him as a waiter here, till I leave this place. Tom is about eighteen has never been a house servant, nor has he done such work on a farm as would be useful to you, but he is young and well disposed, could soon be taught to be a good house servant, there was four that were the plowmen they understood all kind of country work—but two of them had their wives with them & the other two wives in the neighbourhood. You may judge what a sacrifice of property is making of my dear husbands estate one of these four [ . . . ] with his wife a child of eight years another of three for £30. They ought most certainly to have been bought for me, for the man alone on credit I could have £60, but there is my misfortune placed among strangers, whose interest clashes with mine. Where mine ought to be the only object in view self interest is prefer'd, this is not the only instance were delicacy & future services to be expected makes it most prudent to submit but it is hard & so unlike what my dear husband would have done in a similar agency—but of this I do not complain only to you Sir and it must go no farther. I have seen the beginning of my troubles God only knows when I shall an end of them, the only consolation I have in them is that you are still preserved and disposed to act the parentle part toward your afflicted Child

CATH RIDLEY

ALS, MHi.

1. Refer to Catharine Livingston Ridley to WL, Dec. 31, 1789 (MHi).
2. See Richard Carson to WL, Nov. 15, 1789.
3. Susan Ridley was probably born in 1788.
4. firkin: a small wooden vessel or cask.
5. Susannah Livingston.
6. An act passed by the New Jersey Legislature in 1786 forbade the bringing into New Jersey any slave either born in Africa or brought to the United States from Africa after 1776. The Ridley slaves were probably born in America and did not fall under this prohibition. Refer to "An Act to prevent the Importation of Slaves into the State of New-Jersey, and to authorize the Manumission of them under certain Restrictions, and to prevent the Abuse of Slaves" (*Acts* [Oct. 25, 1785–Mar. 23, 1786], 239–42). For WL's most recent articulation of his attitude on slavery see WL to James Pemberton, Oct. 20, 1788. For WL's problems with white servants see WL to John Jay, May 1, 1786.
7. Letter not found.

## To John Jay

Elizabeth Town 20 January 1790

Sir

The inclosed Letter I received to day,<sup>1</sup> (under cover of one to me) unsealed as you see, for my perusal, with five others sealed to the Representatives in Congress of this State, I suppose upon the same subject. Mr. Jones is a very worthy character, & I think a man of too much honour not to discharge any office to which he may be appointed with the greatest integrity, & I am sure I wish him success in his application; but upon such occasions I am the worst soliciter in the world, & I believe you are not the best.

I long for an answer from you to my Letter of the 18th.<sup>2</sup> I have since thought that the French also have a Consul at Algiers as well as the English, and I am persuaded that Mr. Otto<sup>3</sup> would exert himself to gain from him all possible intelligence upon a subject that so sensibly affects me. I am Sir Your most humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. Refer to Robert Strettel Jones to WL, Jan. 16, 1790 (MHi).
2. See WL to John Jay, Jan. 18, 1790.
3. Louis Guillaume Otto.

From John Jay

New York 25 Jan. 1790

Dear Sir

Blinkhorn's Story mentioned in your Letter of the 18th Instant,<sup>1</sup> appears to me highly improbable—because

1. We have never heard of more than two american vessels having been carried to Algiers viz. the ship *Dauphin* of Philadelphia, Capt. Richard Obryan, taken 30 July 1785, and the Schooner *Maria* of Boston, Capt. Isaac Stephens, captured the 25 July 1785.

Between that Period and this, many Letters have been received from those captives, and from others respecting them. Capt. Lamb<sup>2</sup> and Mr. Paul Randall were there in the Year 1786, and had such opportunities of Information, as that if any other vessels had prior to their arrival, be carried there, they certainly would have heard of it.

2. Mr. Meredith<sup>3</sup> of Philadelphia has never heard of a *Brig Betsy* Capt. Ross from that city, having been taken by the Algerines.

3. The Spaniards were at Peace with the Algerines,<sup>4</sup> when he pre[tends] to have been taken in an Algerine Galley, by Capt. Leghorn a Spaniard.

4. If that Event happened as he says, a *few* Days after the Galley being at Sea, he must have been taken probably within the Straights, or at least not far beyond them—and it [is very] extraordinary that the Spaniard should leave the neighboring [coast] and Ports of Spain, and carry such a Prize across the Ocean [to New] orleans.

5. Mr. Viar, the spanish charge des affairs here, and who [was one] of Mr. Gardoquis Secretaries,<sup>5</sup> says that he has never heard [that such] a Prize was carried there; which he doubtless would have [done had] that been the Case. I have heard Mr. Gardoqui say that [he] corresponded with the Governor of Florida etc.

6. The last List of Saratoga's officers & men, was [carefully examined] by Mr. Remsen<sup>6</sup> this morning—it is dated the 20 December] 1780, and noted to have been received in the office, the February 1781. [There] are no such names as *Reynolds* or *Minors* in it.

The Saratoga is with great Probability supposed to have [been] lost

on the 18 March 1781 about 4 o'clock in the afternoon of [that] Day. One of her Lieutenants, who had been put into a Prize, [parted] from her a little before that Time in full chase of a Sail, the wind coming on so [exceedingly] violent, that the Prize before mentioned was obliged to take [in] her sails. The Lieutenant I am told, is persuaded that the Saratoga, whose Capt.<sup>7</sup> was venturous & full of ardor, was then lost.

Besides it would be very extraordinary indeed, that a young Gent of Talents should be for years working at Algiers, and that openly on the fortifications, and there meet with this Blinkhorn & Reynolds and Minors, and yet never be able to convey any Intelligence of himself to any of the Christian Consuls or Captives, or even to the Regency of the Country. He knew I was in Spain—that we had ministers also at Courts at peace with Algiers;<sup>8</sup> and must soon have learned that among other [friendly] nations, the french had a consul there.

I will nevertheless cause Copies of your Letter to be transmitted to [the] french & English consuls of Algiers; for altho Blinkhorns Story appears cause to deserve no Credit, yet in Cases of this kind no pains should be spared to remove doubts. I am Dear Sir, your affectionate obedient Servant.

JOHN JAY

ALS, MHi.

1. See WL to John Jay, Jan. 18, 1790.
2. John Lamb.
3. Probably Samuel Meredith.
4. On May 30, 1780, Morocco and Spain signed a peace treaty, ratified the following year. The Dey of Algiers refused to recognize the treaty and hostilities between Spain and Algeria were resumed in the summer of 1783.
5. Joseph Ignacio de Viar; Don Diego de Gardoqui.
6. Henry Remsen, Jr.
7. John Young.
8. England, France, the United Provinces, Denmark, and Sweden all had treaties with Algiers at this time.

## To John Jay

Elizabeth Town 28th. January 1790

Dear Sir

Your Letters of the 25th. & 26th. instant<sup>1</sup> I just now received. I so perfectly agree with you in sentiment respecting recommendations to Offices that your Letter to Mr. Jones<sup>2</sup> (which you left open for my perusal, & which I have sealed & shall forward to him by the first opportunity) precisely contains my sentiments upon all similar subjects though better expressed than I could have expressed them; and indeed from the number of the applications which I have had of that kind & between my natural inclination to oblige a friend of good character & due abilities & my opinion of the impropriety of solliciting for Offices, I do not know any thing that has more perplexed & embarrassed me than that of returning a civil answer to the applicants without giving them any assurance of adding my little weight to their applications.

I am under great obligations to you for the trouble you have taken to investigate the probability of Blinchnorn's relation respecting my Son John Lawrence. My daughters & I had, previous to the receipt of your letter, concluded upon mature consideration, that he was an imposter, & that we ought to resign ourselves to the dispensations of Providence, & never expect to see this their Brother, & my Son, in this World. And yet—if he is an Imposter—he is a great rascal indeed for exciting afresh those sorrows which length of time had in a great measure alleviated, & especially since I told him at his commencement of the affecting story, that he was not to expect a farthing more from me upon that account, until his history should be finally verified when I should make him an ample reward for his information, though at present as to a distressed & shipwrecked Sailor, I thought it my duty to be charitable; & would give him both money & clothes as to any other poor Mariner, to assist him in his return to his family.

The measures however which you have taken to ascertain the fact (& for which I am extremely obliged to you) are very agreeable to me, as experience has often evinced that the most incredible narratives have ultimately proved to be true.

We are so solitary here, & have so little inclination to seek society beyond our own walls, that nothing could be more agreeable to my Children & myself who have not forgot Mrs. Livingston's separation<sup>3</sup> from us (and I hope never will totally forget it) than to be visited by our relations & connections in N. York; but alas I suspect that [the] gaiety & splendor of the Beau monde [of] Manhattan's, affords but little leisure to think of the obscure retirement of any old fellow in New Jersey, one of whom is nevertheless with great sincerity Sir Your most Affectionate Friend

WIL: LIVINGSTON

P.S. I wish the Cherries were ripe to-morrow because when that event happens I think I have the promise of a visit from my dear Grandson Peter.

ALS, NNC.

1. See John Jay to WL, Jan. 25, 1790, and refer to John Jay to WL, Jan. 26, 1790 (MHi).

2. Robert Strettel Jones. Letter not found. Refer to Robert Strettel Jones to WL, Jan. 16, 1790 (MHi).

3. For the death of Susannah French Livingston see Henry Brockholst Livingston to WL, Aug. 12, 1789.

## To Catharine Ridley

Elizabeth Town 2d. February 1790

My dear Daughter Ridley

I can the more emphatically call you so, because you are one of those of my children who have never given me a moments uneasiness respecting your conduct from your Childhood upwards, nor been disobedient to me in a single instance, you cannot therefore conceive how much I participate with you in the loss of so good a husband as the one you have lost;<sup>1</sup> & I doubt not you mingle your tears with mine in deploring the death of my dear dear partner,<sup>2</sup> to whom you was a very dear child. Both those losses coming upon us so unexpectedly & in such swift succession, are trying indeed; and I hope we may not too soon forget them; but I also hope that in remembering them, we may remember them to our spiritual benefit, I mean so as not to murmur against the dispensations of Providence, but to be resigned to, & acquiesce in, the will of

heaven, & to prepare ourselves to go to those who we have reason to believe are happy & who we know will not return to us. Come my dear child the mean while with your dear little ones to an affectionate Father as speedily as possible, & wellcome yea thrice welcome.

The servants you mention, you may send whenever you please;<sup>3</sup> & on your arrival we will settle the terms respecting my taking them of you. I am entirely of your opinion that I shall find it more for my comfort & advantage to have them all than such hired ones as I have hitherto been plagued with.

I cannot tell you how much I long to see my little Susan,<sup>4</sup> of whom I shall probably be the more fond because she is not only the namesake but was so great a favorite of your dear Mamma, & the younger one, (*orphaned before her birth*) I shall love because it is yours.<sup>5</sup>

What you mention concerning the infidelity of professing friends has been the experience of all ages, & will doubtless continue to be the case to the end of the world; & probably the more effectually to convince us of the wisdom & necessity of not confiding in man, but of procuring the favour & friendship of that Great Being who is the orphan's stay & the widows shield, & who never deserts those who put their trust in him.

I have received your letter of the 20th of January & the one you therein refer to,<sup>6</sup> & am happy to find that notwithstanding as the world goes, & is ever like to go, Mr. Carson is a friend indeed because he is a friend in need. I ardently wish for opportunities to requite him for his civilities to you which I desire never to forget; in the mean time present him with my best respects. I am your affectionate father

WIL: LIVINGSTON

ALS, MHi.

1. For Matthew Ridley's death see Richard Carson to WL, Nov. 15, 1789.
2. For Susannah French Livingston's death see Henry Brockholst Livingston to WL, Aug. 12, 1789.
3. See Catharine Livingston Ridley to WL, Jan. 20, [1790]. For WL's opposition to slavery see WL to James Pemberton, Oct. 20, 1788.
4. Susan Ridley.
5. The name of this daughter has not been found and there is no further mention of her in later family correspondence. Refer to Susan Livingston to Catharine Livingston, July 24, 1790 (MHi).
6. See Catharine Ridley to WL, Jan. 20, [1790] and refer to Catharine Ridley to WL, Dec. 31, 1789 (MHi).

## From George Ross

[February 2, 1790]

Sir.

While on a Visit this Evening at Mr. Spraggs,<sup>1</sup> a Person came in requiring his attendance in the Exercise of his Function on a private occasion. Knowing the Messenger & of his connection with the Girl lately in service of Mr. Austin,<sup>2</sup> I Entertained some suspicion of the business, which determined me to wait his return. Accordingly Mr. Spraggs informed me he was led to a small House opposite the ruins of the Barracks,<sup>3</sup> and to his great surprise found your unhappy son<sup>4</sup> at this Place with this Girl<sup>5</sup> and some other Women assembled on the occasion, that your son desired to be instantly married to her and required Mr. Spraggs to perform the office. Mr. Spraggs begg'd to be Excused, recommended it to your son not to be too precipitate but to consider of the matter for a few days, and in the mean time to procure his Father's consent, without which he could not be instrumental in a business that might provide such disagreeable consequences.

To which your son replied that he had received a Letter from his Father on the subject of this Girl, in which among other things was mentioned *that you hoped he had taken proper care of her*,<sup>6</sup> which he construed to be an assent to the marriage. However *without* being able to [prevail] [upon?] Mr. Spraggs he left them together, and on his return gave me this particular information, which I have thought my duty to communicate to you, and have to request that neither my Name or Mr. Spraggs; may be mentioned on the occasion. Your Excellencys Most Obedient Servant

GEO: ROSS

ALS, MHi.

1. Rev. W. B. Spragg.
2. David Austin.
3. The Elizabethtown barracks, located on present-day Cherry Street, was burned by Loyalists during the Revolution.
4. William Livingston, Jr. For William Livingston Jr.'s high opinion of David Austin see William Livingston, Jr., to WL, July 10, 1789.
5. Mary Lennington.
6. Letter not found.

## From Alexander Hamilton

Treasury Department February 8th. [1790]

Sir

I had the honor of receiving a few days since your Excellencys letter of the 23d. of January last enclosing a Statement of the public debt of New Jersey.<sup>1</sup> Be pleased to accept my acknowledgements for the attention you have paid to this subject.<sup>2</sup> I have the honor to be with perfect respect Your Excellency's most Obedient Humble servant

A HAMILTON

LS, MHi.

1. Letter and enclosure not found. For previous reference to New Jersey's state debt see WL to Baron von Steuben, Sept 25, 1786.

2. WL's response was prompted by two circulars sent by Hamilton to state governors on Sept. 26 and Nov. 21, 1789. Hamilton's Report on Public Credit, submitted to Congress on Jan. 14, 1790, advocated federal assumption of state debts, argued that the government give equal priority to repaying the interest on its debts as the principal, and rejected discrimination against current, as opposed to original, holders of securities. Hamilton recommended that the government raise revenues through additional taxes and foreign loans. Refer to Alexander Hamilton to WL, Sept. 26, 1789 (Nj); *Journal of the House of Representatives* (Washington, D.C., 1826), 1: 117, 136, 141; and Syrett, *Hamilton Papers*, 5: 411–12; 534–35; 6: 51–68, 206, 252.

## From James Mott

Trenton February 9th: 1790

Sir

I Received your Excellencys Letter of the 8th<sup>1</sup> and here Enclose you A Certificate that Lady Stirling has Never Received any Pension from New Jersey.<sup>2</sup> If The form Is Not as you would Wish Your Excellency Will Please to give Me One and I Will Sign It. You mention Your Receiving Two Letters from Me With the accounts for the Secretary of the Treasury, and War Office, and Expect the Other as Soon as I have Done It. I Sent the Third Letter with the Statement of the widows Pension, etc., by Col. Hooper<sup>3</sup> the 29th of January who Promised to Deliver It to Your Excellency. If It Should have Miscarried So That You have Not

Received It. I request You to Notify Me Thereof and I Will Send another Copy<sup>4</sup> and am Sir Your Excellencys Obedient Servant.

JAMES MOTT

ALS, MHi.

1. Letter not found.

2. The death of William Alexander, Lord Stirling, in 1783 left his widow, Sarah Livingston Alexander, Lady Stirling, in financial straits. For the most recent mention of Lord Stirling's death see Robert Livingston to WL, Nov. 8, 1783. For the most recent mention of Lady Stirling's attempts to place demands against the estate of Philip Livingston see Henry Brockholst Livingston to WL, Mar. 12, 1788. On Dec. 1, 1789, the New Jersey Legislature passed an act which restored to Lord Stirling's heirs the unsold portion of his repossessed real estate. Refer to "An Act to suspend the further Proceeding of Richard Stevens and John Mehelm in the Sales of the Lands and Tenements, Herediments and Real Estate of the late William Alexander, Earl of Sterling, dec . . .," (*Acts* [Oct. 27–Dec. 1, 1789], 567).

3. Robert Lettis Hooper.

4. Letters not found. Refer to James Mott to WL, Feb. 11, 1790 (MHi).

From Henry Knox

War Office February 13th: 1790

Sir,

I have the honor to acknowledge the receipt of your Excellency favors of the 27th. Ultimo and the 9th. instant,<sup>1</sup> the former enclosing a list of Invalids paid by the State of New Jersey, and the latter accompanying a Return of widows and orphans of Officers and soldiers who have received the half pay stipulated by Congress.<sup>2</sup> Returns have not yet been received from all the States of the latter, and of consequence Congress have not yet had the means of making provision for any deficiencies of pensions of this nature if any such deficiencies remain.<sup>3</sup> I have the honor to be With great respect your Excellencys Most Obedient Humble Servant

KNOX

LS, MHi.

1. Letter not found.

2. An act of the Continental Congress passed Jan. 5, 1778, established pensions for military personnel who were disabled in the line of duty or for the dependents of those who had died while in service (*JCC*, 10:19–20).

3. State militias were required to submit receipts to the war office (*JCC*, 10:19–20).

## From Henry Brockholst Livingston

New York 16th February 1790

My Dear Sir

The day before Yesterday twelve of the Oneida Indians who are settled at Oriskie came to Town to renew a Claim they have heretofore made to a great part of the Oriskinie Patent on a Pretence of its never having been set by their Ancestors.<sup>1</sup>

The Governor<sup>2</sup> apprized me of their being in Town & requested me to attend him and them at the Secretary's Office yesterday morning. At this Interview the Indians delivered a speech in writing expressing the Extent of their Claim and a willingness to sell the Land to the white People. The Governor produced the Record of an Indian Deed very accurately describing the Bounds of the Patent, the Consideration of which was much larger than is usually found in Deeds of that kind.<sup>3</sup> They appeared no ways satisfied with the Explanation which was followed by a very proper Speech on the part of the Governor pointing out the Impropriety of paying for Land a second time and the Evils such a Precedent must produce.

This Claim appeared to me the most barefaced I had ever heard, and yet I fear it will prove particularly injurious to you, the Settlement of Oriskie being on one of your Lotts which is said to be the best in the Patent.<sup>4</sup>

The Governor and the mayor<sup>5</sup> of Albany who was also present both of whom are interested in the Patent think it best not to make them any offer yett in hopes that at the next publick Treaty which will be held at the German Flatts they will be brought to a formal Surrender of their Claims.

I expected e'er this to have paid you a visit but have been prevented by business & the late severe weather. I am Dear Sir your dutiful Son

BROCKHOLST LIVINGSTON

ALS, MHi.

1. For background to the Oriskany Patent and the Indian treaties relating to it, see Henry Brockholst Livingston to WL, Nov. 11, 1783, and n. 1. For Henry Brockholst

Livingston's most recent appraisal of the patent dispute refer to Solomon Dewey to Henry Brockholst Livingston, Feb. 4, 1790 (MHi).

2. George Clinton.

3. Refer to Proceedings of Sir William Johnson with the Indians of Fort Stanwix to settle a Boundary Line (1768) in O'Callaghan, *New York Colonial Documents*, 8:111–34, particularly 123–24.

4. For WL's views on the immorality of unfair practices toward Indians see *Primitive Whig*, No. V [Feb. 6, 1786].

5. John Lansing, Jr.

## To John Jay

Elizabeth Town 3d March 1790

Dear Sir

I inclose a copy of the Acts of our Assembly passed at their last sitting<sup>1</sup> & am

When I had written thus far, I received your Letter of the 1st. instant,<sup>2</sup> & am much obliged to you for the readiness you profess to execute my commission in a business with the success whereof, my happiness is really considerably connected, I mean the affair of the Dumb fish.<sup>3</sup>

I congratulate you on the News of Mr. Jefferson's being soon expected in New York as it will, besides relieving you from a great load of business, enable you to spend some days with me.<sup>4</sup> I shall undoubtedly be "pleased to see Peter with you"; but I hope you do not imagine that I should be *displeased* to see any of the rest of the family.

I am glad that I have any book which the Vice President<sup>5</sup> is desirous of reading. *Father Paul's* history of the Council of Trent is entirely at his Service,<sup>6</sup> & shall be transmitted to you for him by the first opportunity. He will read it with some abatement of his pleasure upon account of the wretched English into which it is translated, but with infinite delight as to the variety of the matter, the fidelity of the historian, his indefatigable pains in collecting the materials, & the address & subtlety with which that Council conducted the business, tho' finally by the overriding Providence of God, converted into the triumph of the opposite party:<sup>7</sup> An Address & subtlety which I believe is not to be matched by any people to the southward of [Byran?] River.<sup>8</sup>

As the Vice President is much engaged in business, & consequently

has the less leisure for reading, you will be pleased to inform him, with my best respects, that he need give himself no concern about the length of time that it may best suit his convenience to keep the book. I am Sir  
Your most humble Servant

WIL: LIVINGSTON

ALS, NNC.

1. Refer to *Acts* (Oct 27–Dec. 1, 1789).
2. Refer to John Jay to WL, Mar. 1, 1790 (MHi).
3. WL had requested Jay to send him fish from Massachusetts. Refer to WL to John Jay, Feb. 11, 1790 (NNC).
4. Thomas Jefferson, appointed Secretary of State in October 1789, notified John Jay of his acceptance of the appointment in February 1790 (Boyd, *Papers of Thomas Jefferson*, 15: 509–10, 16: 180–81).
5. John Adams.
6. Paolo Sarpi, or Fra Paola, the famed Catholic theologian, published his *History of the Council of Trent* in London in 1619. For previous mention of Paolo Sarpi see WL to Ezra Stiles, Dec. 12, 1788, and n. 7.
7. The Council of Trent was called by the Roman Catholic Church 1543–1547, 1551–1552, and 1562–1563 to meet the crisis posed by the Protestant Reformation. The council was divided between those wishing reform within the church and those opposing any change. The reformers eventually won.
8. WL possibly meant the Rhine.

### From “Veritas”

[March 8, 1790]

Sir

Having had a long acquaintance with your Excellency and from such Acquaintance ever formed the best Opinion both of your Friendship and Abilities. Being your Friend I beg leave to inform you of some Conversation which passed amongst a Number a few evenings ago. The Subject was respecting a Tryal in Chancery lately had between Samuel Craig & Wm Marriner & others.<sup>1</sup> Considerable betts were laid or offered to be laid that the Decree would be against all the Defendants except Samuel Hays. Why says one will it not go against Hays? for I am sure the evidence was as much against Hays as any of them. No matter says another how the Evidence was the Governor looks upon Hays to be his friend and a good Whig and I will lay what you please there is no Decree against Hays. How the Evidence was I do not know

but this has been the Conversation among a number of those who attended the Tryal and who from their Conversation appear to be Judges of the Nature of Evidence. I thought it my Duty to send you this information and would have put my Name to it, but suppose if I do I shall be under the necessity of telling you the Names of the Persons who had this Conversation which will be disagreeable to me. Some of them said they knew what your Decree was I heard the late Sheriff of Bergen say that Mathias Halsted<sup>2</sup> told him that the Decree had come out in favor of Hay's—(this I suppose is guess work)—as I cannot tell how he should know your Decree.<sup>3</sup> Your friend

VERITAS

ALS, MHI.

1. On May 13, 1782, Baker Hendricks purchased goods confiscated from the enemy and sold by Essex County justices of the peace. Samuel Craig subsequently purchased the items from Hendricks and began to transport them to Pennsylvania. When New Brunswick officials ordered his goods confiscated as contraband, Craig sued to recover his property, and in April 1783 won a decision in the New Jersey Supreme Court. His accusers subsequently filed a Writ of Error, which precipitated a chancery trial.

Craig claimed that the seizure was the result of a conspiracy between Samuel Hayes, deputy surveyor and major of the Essex County militia, privateer William Marriner, and other inhabitants of the New Brunswick area to confiscate and sell the goods and divide the profits. He also charged Hayes and Marriner with collaborating to prevent Craig from taking possession of Marriner's estate, which Craig purchased at a 1785 public auction (*Samuel Craig v. William Marriner et al*, Chancery Case, 1786–1791, [Nj]). For privateer bond of William Marriner see 2:415–16. For espionage activities of Baker Hendricks during the war, see 2:24–25, 121, 193–95.

2. Matthias Halsted was a judge of the Court of Common Pleas of Middlesex County (*New Brunswick Gazette*, May 4, 1790).

3. WL never issued a decree in the case. His successor as governor and chancellor, William Paterson, dismissed the charges against Hayes and co-defendant Thomas Egbert on July 12, 1791, but awarded Marriner's estate to Craig. Paterson served as Hayes's attorney in 1787 (*Samuel Craig v. Willaim Marriner et al*, Feb. 14, 1787 [Nj]; *Chancery Record Book* [Nj], 170–71).

To John Jay

Elizabeth Town 23d. March 1790

Dear Sir

One of the consequences which you deduce from the expected Arrival of Mr. Jefferson at New York,<sup>1</sup> operates upon me more strongly

than any other passion I have for his speedy arrival, I mean that such his personal appearance in the Metropolis of your State, will enable you the sooner to make me a visit.

And I hope when you come you will not forget your promise of bringing with you Master Peter. The sooner the better, for you can have no adequate idea of our solitary condition, & how greatly the company of our friends brightens the gloom of that solitude, which without that temporary & transient lustre, would in a little time reduce us to a perfect Monastery.

If it would not be too much trouble to you I should be glad you would desire Mr. Thomas<sup>2</sup> to pay thirty or forty pounds upon the bond by the first of September next, when I shall have occasion for some New York money, & considering how much your Speculators, & the rotten part of our own Legislature play the Devil with our paper currency,<sup>3</sup> it is exceedingly prejudicial to an honest Man to purchase any thing from you with what we call money, & you call a merchantable commodity which is daily fluctuating in value;<sup>4</sup> & the amount of that fluctuation at your own arbitrary disposal. I am Dear sir Your most humble Servant

WIL: LIVINGSTON

LS, NjRutFD.

1. Thomas Jefferson was returning from France to assume his post as Secretary of State. See WL to John Jay, Mar. 3, 1790.

2. Either John Thomas or Thomas Thomas. For the most recent mention of this bond see John Jay to WL, Aug. 6, 1789.

3. For New Jersey's legislative action in approving paper currency see *Primitive Whig*, No. VI and n.4, [Feb. 13, 1786].

4. For the problem of New York's paper currency fluctuation see WL to Susannah Livingston, Jan. 19, 1789, n. 3.

Henry Brockholst Livingston to  
Susannah Livingston

New York 24 March 1790

Dear Susan

I sent you by Mr. Woodruff<sup>1</sup> Gil Blas<sup>2</sup> & Joseph Andrews<sup>3</sup> for Betsey Linn.<sup>4</sup> When she returns these books she shall have Humphrey

Clinker<sup>5</sup> or any other books she wants. Give her also the enclosed Lottery Ticket. I sincerely wish it may draw the highest prize. When she observes that one half belongs to her cousin Elizabeth Livingston<sup>6</sup> she will not give me much credit for this wish.

I forgot to bring with me your system of free masonry.<sup>7</sup> As people who will keep up such a solemn farce deserve to be laughed at, I confess I feel some desire to be sufficiently initiated in these mysteries either to pass for a Mason myself or to pretend to some supernatural revelations of secrets which they are so cautious not to divulge. You will oblige me therefore very particularly by the loan of this little book. It shall be carefully returned.

Mr. Jefferson is arrived.<sup>8</sup> I am informed thro' Mr. Crevecoeur that he would like to rent my house.<sup>9</sup> Had he appeared sooner I should have had no objections, as I feel no ambition to live in the middle of so many great folks. At present I could not get a house elsewhere.

Pappas indisposition has occasioned great uneasiness.<sup>10</sup> Very numerous have been the Inquiries about his health since my return. I sent a brief message to Mrs. Jay<sup>11</sup> & Mrs. Watkins<sup>12</sup> to let them know he was much better. Lady Stirling<sup>13</sup> had heard from Mr. Watkins<sup>14</sup> that he had almost lost his memory, asking the same questions, & telling the same stories several times in the space of a day. I see no good in such reports & have taken the liberty to contradict them.

Mrs. Livingston<sup>15</sup> sends her love to you & Mrs. Linn. I am dear Susan your affectionate Brother

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Isaac Woodruff.

2. *The Comical Adventures of Gil Blas*. The 1715 French novel by Alain Rene Lesage was first published in an American translation by William Spotswood of Philadelphia in 1790.

3. *The History of the Adventures of Joseph Andrews and his Friend Abraham Adams* (1742) by Henry Fielding was published in America by William Spotswood of Philadelphia in 1786.

4. Betsy Linn, with her mother Mary Livingston Linn, was living with WL at Liberty Hall. See WL to Mary Livingston Linn, Apr. 28, 1780, 3: 369–70.

5. *The Expedition of Humphry Clinker* (1771) by Tobias George Smollett.

6. The eldest daughter of Henry Brockholst Livingston.

7. Probably *Free and Accepted Masons, Grand Lodge of the State of New Jersey, General Regulations for the Government of the Grand Lodge of New Jersey*, published by Isaac Collins(?) at Trenton in 1790.

8. Thomas Jefferson arrived in New York on March 21. Refer to Thomas Jefferson to

Thomas Mann Randolph, Jr., Mar. 28, 1790, in Boyd, *Papers of Thomas Jefferson*, 16:277. For previous mention of the anticipated arrival of Jefferson as secretary of state see WL to John Jay, Mar. 3, 1790.

9. St. Jean de Crèvecoeur. Jefferson eventually rented a small house at 57 Maiden Lane. Refer to Boyd, *Papers of Thomas Jefferson*, 16:279.

10. In February 1790, WL wrote to John Jay that rheumatism had caused his confinement for the past three weeks. Refer to WL to John Jay, Feb. 11, 1790 (NNC).

11. Sarah Livingston Jay.
12. Judith Livingston Watkins.
13. Sarah Livingston Alexander.
14. John W. Watkins.
15. Catherine Ketteltas Livingston.

## From William Griffith

Burlington 28th. April 1790

Sir

I have lately been informed of a new expedient set on foot by Mr. Read<sup>1</sup> in order to embarrass your Excellency in the appointment of a surrogate for this County.<sup>2</sup> Your answer I am told, (for I neither saw that nor the paper which occasioned it) was such as might be expected from your Excellency to a request which those persons had no right to make founded on reasons too which offered an affront to your understanding. As to this remonstrance your Excellency need not be informed how easy it is to get strangers to put their names to any thing. I dare to say that not three of those who signed that paper either knew or cared a farthing about it; it was drawn up by Mr. Read and sent round by his Clerk to persons at a great distance from Burlington and the facts most evidently misrepresented or concealed. One gentleman in particular I think Col. Cox<sup>3</sup> says he was entirely imposed upon and would not have interfered had he known the truth of the matter. Mr. Read had this in view from the beginning—for in a conversation with him after he had received your first letter he told me “that he was not at all uneasy about the Governors determination for in the end he would be forced to recede from what he had done. That a Governor under the old constitution would not have dared to persist in such a thing though possessed of much more independence than under the present Government. That if the Governor should not retract the County would remonstrate against his conduct which would certainly produce the desired effects.” I an-

swered Mr. Read "that I thought the interest of the County was no ways concerned, and therefore I was not fearful of the consequences he mentioned. At any rate I did not think the Governor would be intimidated by such a measure and that any person who expected a favor from him would be more likely to prevail by quite different arguments." I did not mention this language of Mr. Reads before least your Excellency might suppose I watched for occasions to render him disagreeable to you—but as he has attempted to put his threat into execution I shall not conceal what your Excellency ought to know and what Mr. Read will not deny. In short Sir, Mr. Reads whole conduct in this affair is looked upon by every Gentleman acquainted with the circumstances as highly disrespectful obstinate and unreasonable—and the last attempt as a most pitiful artifice every way unbecoming a Gentleman or man of spirit and particularly ungrateful in Mr. Read whose bread depends entirely on the two appointments which he holds at your Excellencys will and pleasure. I mean the Registry of deeds wills etc.<sup>4</sup> and that of Surrogate General as it is called. These are Offices solely in your gift—and to Mr. *Read* at least the most productive and least troublesome of any offices in the State of New Jersey. But admitting Mr. Reads pretensions had been ever so good he knew the delicacy of your Excellency's situation and that you could not without great violence to your feelings rescind what had been done. He saw you predisposed to do everything consistent with honor and justice—yet notwithstanding this he has endeavored to reduce you to the [ . . . ] dilemma of forfeiting both or embroiling yourself in a dispute with a whole County. But your Excellency need be under no apprehensions of this sort. Mr. Read is not a man whose opposition could affect your interest here—few men are more unpopular than himself and every body condemns him in this particular instance—and I really believe Sir that the County at large as far as I can judge from observation would be sorry to see your Excellency acquiece at last under the improper arts which he has employed to effect his purpose. I am convinced but for Mr. Read your Excellency would never have heard a complaint—no person had an Idea of the kind and all who have attended at my office confess their business is done with more care ease and dispatch than at the Secretarys and are perfectly satisfied with the change. Notwithstanding this you will readily imagine Sir that Mr. Reads opposition tho' harmless to yourself would prove disadvantageous to me. And in fact if your Excellency should be induced

to supercede me in twelve months I shall be left in a worse situation than when I accepted the appointment. That was a restriction unknown to me at the time—which Mr. Read had no right then to expect—and which now he can with no decency insist upon having rejected any accomodation whatever and openly declared that he would obtain that by violence which every one will allow ought to have been disposed of at your Excellency's discretion. But if a reservation was made in favor of one it was certainly on condition that the other during the term he was in office should meet with no obstruction or opposition but have it in his power to use it to his greatest advantage. As Mr. Read by a variety of methods has defeated this intent of your Excellency (The detail of which I shall reserve to another occasion) I cannot see why Mr. Read is to have the double satisfaction of gaining his point and reducing me to the most mortifying situation. On the other hand by continuing the appointment I humbly conceive your Excellency will not only preserve a proper authority—but act in conformity to the wishes & interests of the County at large and with strict justice to Mr. Read. I wish to urge nothing incompatible Sir with your interest or reputation and if to continue one would injure either I shall chearfully resign it to such person as you shall think more capable of supporting both. All the favor I ask is that my place may not be filled by a person or any of his dependants who will ascribe their success rather to the arts they have made use of than to your Excellencys good intentions. I hope you will excuse me for this trouble which I am indeed sorry to give you. I shall not expect any particular answer from your Excellencys as I hope to have the honor of waiting upon you before a great while and apologizing for all the trouble you have had with me in this business. I am Sir with due respect your Excellencys obedient Servant

W. GRIFFITH

ALS, MHi.

1. Bowes Reed.

2. "An Act to ascertain the Power and Authority of the Ordinary and his Surrogates; to regulate the Jurisdiction of the Prerogative Court, and to establish an Orphan's Court in the several Counties of the State" was passed by the New Jersey Legislature Dec. 16, 1784. It empowered the governor as ordinary to appoint one surrogate in each county. Following the Dec. 10, 1789, death of Burlington surrogate Herbert McElroy, surrogate general Bowes Reed requested that WL appoint Reed's clerk, Thomas Adams, to the vacant position. WL appointed William Griffith of Somerset County. Reed objected on the grounds that the post should have been awarded to a Burlington resident. WL ignored

Reed's protests and in January 1790 confirmed Griffith's commission. The letter apparently was lost, since Griffith wrote WL on Feb. 3, 1790, requesting a second letter. Refer to Bowes Reed to WL, Dec. 10, 1789 (MHi); Joshua M. Wallace to WL, Dec. 10, 1789 (MHi); Bowes Reed to WL, Dec. 16, 1789 (MHi); Joshua M. Wallace to WL, Dec. 16, 1789 (MHi); Bowes Reed to WL, Dec. 20, 1789 (MHi); William Griffith to WL, Dec. 22, 1789 (MHi); Joseph Bloomfield to WL, Dec. 26, 1789 (MHi); William Griffith to WL, Dec. 28, 1789 (MHi); Bowes Reed to WL, Jan. 15, 1790 (MHi); William Griffith to WL, Feb. 3, 1790 (MHi); and *Acts* (Nov. 4–Dec. 24, 1784), 135–41. For previous correspondence concerning surrogates see William Livingston, Jr., to WL, July 10, 1789. For past correspondence with Wallace see WL's letter to him of Nov. 9, 1779, 3:204–5.

3. Probably John Cox.

4. Reed was register of the prerogative court by virtue of a December 1784 law (*Acts*, [Nov. 4–Dec. 24, 1784], 136).

## To William Paterson

Elizabeth Town 14 May 1790

Sir

I forgot to tell you when I had the pleasure of seeing you at the last Court of Chancery which you attended, what passed between Mr. Parker<sup>1</sup> & me relative to my demand on the late Mr. Frenche's home-stead<sup>2</sup> &—His promise of payment was so vague & indeterminate, and by his own account, his situation as to [pecuniary] resources, so dubious & uncertain, that I finally told him I would not postpone the execution of the writ of possession in the Government against the mortgaged premises, a single day after the first of June next. Unless therefore I am the only citizen of New Jersey that cannot obtain justice in a due course of Law, I must intreat you to have the writ of Possession in the Sheriffs hands before that day, & that you will be so kind as to desire him to inform me of the day on which he intends to execute it, that I may either be upon the spot myself to receive the possession, or to procure some person to take it for me after the ouster of the present trespassing and unconscionable occupant.<sup>3</sup> I am Sir your most humble Servant

WL: LIVINGSTON

ALS, NjHi.

1. James Parker.

2. Philip French, WL's father-in-law, died in 1782. His former home in New Brunswick was occupied by Parker. The French estate owed WL £753.15.10. His demands unmet, WL sought to evict Parker from the land. Refer to State of WL's demands . . . (June 1, 1790) (NjR); William Paterson to James Parker, Feb. 3, 1790

(NjHi); and Schedule of Bonds etc. Belonging to the Estate of Governor Livingston Deceased (MHi).

3. Refer to William Paterson to WL, May 29, 1790 (MHi).

## To the Assembly

Perth Amboy 19 May 1790

Gentlemen

I herewith transmit to the honourable house the Acts of Congress that have been transmitted to me since the last Sitting of the Legislature, & which are numbered & inscribed as follows.<sup>1</sup>

- No 1. An Act for giving effect to the several Acts therein mentioned in respect to the State of North Carolina.
- No 2. An Act providing for the enumeration of the Inhabitants of the United States.
- No 3. An Act for making appropriations for the support of Government for the year 1790.
- No 4. An Act to establish an uniform rule of naturalization.
- No 5. An Act to prevent the exportation of goods not duly inspected according to the Laws of the several States.
- No 6. An Act to accept a cession of the claims of the State of North Carolina to a certain district of western territory.
- No 7. An Act to promote the progress of useful arts.
- No 8. An Act farther to suspend part of an Act intituled an Act to regulate the duties imposed by Law on the Tonnage of Ships & Vessels and on goods wares & merchandizes imported into the United States and to amend the said Act.
- No 9. An Act for regulating the military establishment of the United States.
- No 10. An Act for the punishment of certain crimes against the United States.<sup>2</sup>

WIL: LIVINGSTON

LS, Nj.

1. These acts, signed into law during 1790, set precedents and established procedures for the new federal government. The laws determined the size and composition of the national army, instituted a patent system, provided for the naturalization of white immigrants, and specified penalties for treason and for felonies committed on the high seas or

on federal property. They also extended the jurisdiction of certain 1789 federal laws dealing with imports to the state of North Carolina, which did not ratify the Constitution until Nov. 20, 1789 (*Evans*, #23844, 3–19; *N.J. Journal*, Jan. 13, 1790).

2. The concluding paragraph of “An Act for the Punishment of certain Crimes in the State of New Jersey,” passed Nov. 15, 1791, was identical to that of this federal law. Both laws stipulated that the accused must be indicted by a grand jury within three years of committing a capital offence or two years of a non-capital offence. (*Acts* [Nov. 5–25, 1791], 725; *Evans*, #23844, 12–17).

## From Peter Augustus Jay

New York May 28th 1790

Dear Grandpapa

We received a letter from Papa a few days ago<sup>1</sup> in which he desires to be remembered to you, & he has sent to you a Quintal of excellent fish on which he says he hopes to dine with you after his return.<sup>2</sup> We wish very much to see Essex,<sup>3</sup> & Mama thinks that it will be to his advantage to come to town at once, & attend the Professors during the vacation with me.<sup>4</sup> Doctor Atwood<sup>5</sup> has sent us no books for him. I hope that when the Assembly has done sitting, we shall have the pleasure of seeing you again in New York. Yesterday a motion was made in the house of Representatives that when Congress did adjourn they should adjourn to Philadelphia.<sup>6</sup> They are now building a government house in the place where the fort stood which they have almost taken away.<sup>7</sup> Please to give my love to Essex & Aunt Susan. I am your most affectionate Grandson

PETER AUGUSTUS JAY

ALS, MHi.

1. Letter not found.
2. John Jay, was assigned as supreme court justice to the eastern circuit. He was riding circuit in New England. Refer to John Jay to WL, Mar. 1, 1790 (MHi).
3. Essex Ridley.
4. Peter Jay began attending classes at Columbia College in 1790.
5. Possibly George Atwood.
6. The resolution to hold the next session of Congress in Philadelphia was introduced by Robert Morris on May 24, 1790. After several days of debate, it was passed on May 27, 1790. For a discussion of the debate and the reaction of the New York population, refer to Charles A. Beard, ed., *The Journal of William Maclay: United States Senator from Pennsylvania 1789–1791* (New York, 1965) 265–68.
7. New York appointed a commission composed of James Watts, Richard Varick, and

Gerard Bancker to superintend the construction of an executive mansion in the hope that it would induce Congress to remain in New York. Construction was begun in May 1790 on part of the site of former Fort George, which the state had ordered to be razed. Governor George Clinton moved into the mansion in the spring of 1791, and the Jay family occupied it during John Jay's term as governor of New York.

## To the Assembly

Perth Amboy 8 June 1790

Gentlemen

I herewith transmit to the honourable House the following Acts of the Congress of the United States, vizt.<sup>1</sup>

An Act for the Government of the Territory of the United States south of the River Ohio.

An Act to continue in force the Act passed at the last Session of Congress entitled "An Act to regulate processes in the Courts of the United States."

An Act to provide for mitigating or remitting the forfeitures & penalties accruing under the revenue Laws in certain cases therein mentioned. And

An Act to prescribe the mode in which the public Acts Records & Judicial proceeding in each State shall be authenticated so as to take effect in every other State.

WIL: LIVINGSTON

LS, Nj.

1. These acts, signed into law May 26, 1790, extended the governmental system of the Northwest Territory to lands south of the Ohio River and established other uniform procedures for all the states (*Evans*, #23844, 19–20). For reference to the administration of the Northwest Territory see WL to Thomas Hutchins, May, 18, 1785, and n. 2.

## John Beatty to Susannah Livingston

Princeton July 19, 1790

Dear Susan

The long and painfull Indisposition of the governor has given his Friends in this Quarter great solicitude for his Recovery; and the various & Contradictory reports respecting his real situation has Increased

our Anxiety.<sup>1</sup> The object of this letter is to gain Information of the Nature & tendency of his Illness, and I am to request the favor of an answer from some [one] of the Family on this head. I should not content [ . . . ] barely with the knowledge of his situation; were [it<sup>2</sup>] any way in my power to visit him, or be so long out [ . . . ] the calls of my profession. Be pleased to tender my sincerest Wishes for his Reinstatement to health, and my warmest & most repectfull Attachment to his person;<sup>2</sup> and should he in the course of providence be taken from among us, I must further beg that I may have the Earliest intimation of it, from some friend, that I may appear at his Funeral; if not among the Most worthy, yet one of the Most sympathysing of his Associates, & to testify the high regard and Esteem I have for him while living. With sentiments of respect & Esteem I am your very Humble Servant

JOHN BEATTY

ALS, MHi.

1. For the most recent mention of WL's declining health see Henry Brockholst Livingston to Susannah Livingston, Mar. 24, 1790.

2. For the most recent mention of Beatty's friendship with WL see WL to Jacob Jordain, Dec. [6], 1787.

## Susannah Livingston to Catharine Ridley

July 24th, 1790. Elizabeth Town

My dear Kitty

I have this instant received yours of the 19th July.<sup>1</sup> It is with grief of heart my dearest Sister that I cannot encourage you to hope for our dear & excellent Father's recovery; from the first moment I thought his complaints complicated & serious, nor have I throughout the whole of his illness seen any rational ground of hope. Prepare yourself my dear Kitty to hear of his removal from us & let it console you that his patience & resignation are such as becomes a Christian; I have frequently reflected on a line of his written in early life, For *I* who knew to *live* would never fear to *die*.<sup>2</sup>

May our Lives be as exemplary as our dear & honoured Parents, & our Deaths a translation to glory! Our Tryals are severe, May the Almighty teach us submission & reconciliation to his holy Will! I can assure you with the fullest confidence that every assistance & attention

that could be thought of, has been exerted. Dr. Bard<sup>3</sup> has been here these three weeks & attended him with the greatest assiduity, his Friends strife who shall render him most service. Our amiable Cousin Matt<sup>4</sup> has been here a great part of the time & we can truly say to him, *well done thou good & faithful Servant.*<sup>5</sup> He watches our dear Father day & night. Brockholst went to Albany 8 or 10 days ago, Mary<sup>6</sup> has written for him to return. Sally<sup>7</sup> & Mr. Jay left us yesterday, the Federal Court sits on Monday.<sup>8</sup> After that is over they mean to come & stay with me.

Do not my ever dear Sister, think of coming this way until your affairs are so settled that there would be no necessity for your return.<sup>9</sup> Comfort yourself that you have sincere & generous Friends in Mr. & Mrs. Jay, they flatter themselves with the union of yours & their family—indeed they are the only persons that have spoke a word of consolation to me. They are well pleased with Essex,<sup>10</sup> he & Peter<sup>11</sup> are remarkably fond of each other, & Mr. Jay seems determined that he shall miss his father as little as possible.

Tho' deeply afflicted we are not without resources, & comforts which many are deprived of. If I have a sufficient support for myself and my dear Susy<sup>12</sup> I shall have abundant cause of thankfulness. Susy is at Mrs. Woodruff,<sup>13</sup> She is so attached to me, that I can do nothing for her, Mrs. Boudinot<sup>14</sup> brought her up to see me a few days ago, but she cried so much when we parted, that I am obliged to deny myself the satisfaction of seeing her. Mrs. Bell<sup>15</sup> has invited me to her house, when this has lost every charm. Mr. Bell<sup>16</sup> returned from the Northward only a few day ago. It was my intention to have written to our worthy friend Mr. Carson,<sup>17</sup> but I found the subject too affecting—nor should I have neglected to write our Cousin Hall,<sup>18</sup> had it not been for the repeated afflictions we have met with which have entirely engrossed my thoughts. We thought it a fortunate circumstance that you would receive Sister Jays letters while among your friends; remember me affectionately to them & beleive me ever yours

S. LIVINGSTON

I think it would be advisable to stay with Friends on the Eastern Shore as long as your business will permit. As I have your Address I can write you as well at Cousin Halls as in Baltimore & you will require the support of Friends in such a day of distress.

ALS, MHi.

1. Letter not found.
2. The quote is from *Philosophic Solitude: or, The Choice of a Rural Life. A Poem By a Gentleman educated at Yale College* (New York, 1747), 45–46. This WL poem went through thirteen editions, the last being a New York edition of 1790.
3. John Bard and Sir James Jay attended WL. Jay's bill for £78.8.0, "for attending the Governor 21 days, furnishing Medicines to him, and travelling, on his account, above 300 Miles," was paid by WL's estate on June 20, 1791 (MHi, vol. 4).
4. Matthew Clarkson.
5. Matthew 25:21.
6. Mary Livingston Linn.
7. Sarah Livingston Jay.
8. For the most recent mention of John Jay's appointment to the Supreme Court see Peter Augustus Jay to WL, May 28, 1790, n. 2.
9. See WL to Catharine Ridley, Feb. 2, 1790.
10. Essex Ridley.
11. Peter Augustus Jay.
12. Susan Ridley.
13. Sarah Woodruff.
14. Hannah Stockton Boudinot.
15. Isabella Bell.
16. William Bell.
17. Richard Carson.
18. Edward Hall.

## Death Notice

[Elizabeth Town, July 28, 1790]

ON SUNDAY, about eleven o'clock at night, the 25th instant, departed this life, at his seat near this town, and was interred yesterday afternoon in the Presbyterian church-yard of this place, with singular honors, his Excellency WILLIAM LIVINGSTON, Esquire, Governor of this State.

He was descended from an ancient and respectable family in the State of New-York. His genius far superior to the common level—his mind was great and comprehensive—his imagination brilliant, refined and elegant—and his memory strong and retentive. His literary accomplishments were various, distinguished, and shining—his religion was without superstition and bigotry—his morals of the strictest kind—and his political principles altogether republican. He carried a beautiful and excellent pen. His writings both in prose and poetry are fraught with the evidences of a strong mind, an accurate judgment, an elegant taste,

and extensive knowledge—In satire, few were his equals, and none his superiors. He at all times distinguished himself as the firm friend to the liberties of America induced the Legislature of this State, early in the revolution, to elect him to the first seat of honor in their government, which they have annually conferred upon him ever since. He lived an active, useful, and important life, and died much and universally lamented, in the 67th year of his age.

He always made religion the basis of his other virtues,—had a well ground confidence in the Supreme Being upon principle of Christianity, and died with the most exemplary devotion.

In a word, his Excellency was an able civilian, a chaste writer, who united an excellent genius with the qualities of the heart—a steady and uniform patriot, and a fosterer of the sciences.

By this dispensation of Providence, the State has sustained an heavy loss—his children are deprived of an affectionate parent, who ever consoled them in their afflictions, and solaced their wants—and the republic of letters one of its brightest ornaments.

We have not been favored with an account of the arrangements of the procession—but the uniformed companies of this town and Newark, to shew their last mark of respect for their departed chief, paraded on this melancholy occasion, and with music playing a solemn dirge, and arms reversed, preceded the corpse, as well as the clergy of the Presbyterian and Episcopal churches, which was followed by the attending physicians, the mayor and corporation of this place, the principle gentlemen of this and the neighbouring towns, and a vast concourse of people of all descriptions.

A most excellent discourse was delivered, by the Rev. Doctor Macwhorter, from Job. xvi.22. *When a few years are come then I shall go the way whence I shall not return.*<sup>1</sup>

*N.J. Journal*, July 28, 1790.

1. For Alexander McWhorter's eulogy refer to "Character of His Excellency, William Livingston," *The Christian's, Scholar's and Farmer's Magazine*, August–September 1790, 332–33.

## Henry Brockholst Livingston to Susannah Livingston

New York August 2, 1790

My Dear Sister

I left Albany on thursday last in consequence of Mrs. Linns letter<sup>1</sup> in hopes of reaching Elizabeth town in time once more to embrace our good and beloved parent, but on my arrival at Pokeepsie I found that pleasure was to be denied me forever.<sup>2</sup>

While we sympathize with each other in this severe dispensation of providence, we cannot but receive consolation from the perfect resignation with which he supported his last moments & the unsullied Character he has left behind him.

I would pay you a visit immediately but my business, which has been much damaged by my late frequent absences, will prevent my having that pleasure until friday or Saturday.

It gives me pleasure to hear that Mrs. Ridley & her little ones are so well provided for.<sup>3</sup> If you & Mrs. Linn incline to stay at Elizabeth town, as far as my Interest extends, you have my hearty consent for the purpose.

If you break up housekeeping, I hope you will believe me sincere in assuring you that a room in my house is entirely at your service as long as you shall find it agreeable. Mrs. Livingston and myself will be happy in your Company. If you decline this Invitation, at least let us hope that you will make our house your home whenever you wish to spend any time in town.

Mrs. Livingston insists on my bringing Betsy Linn to town with me when I return, and in her staying with us until she can be better provided for.

Any advice you may require in the execution of our worthy fathers will or in any other occasion will be always very chearfully given by one who has ever been your Affectionate Brother

BROCKHOLST LIVINGSTON

ALS, MHi.

1. Mary Livingston Linn. Letter not found, but see Susannah Livingston to Catharine Ridley, July 24, 1790.

2. See Death Notice, [July 28, 1790].
3. See Susannah Livingston to Catharine Ridley, July 24, 1790.

### Last Will & Testament of William Livingston

I William Livingston of the County of Essex in the State of New Jersey being by the blessing of God, in good Health and of sound and disposing mind and memory, and mindful of my mortality, Do make this my last Will and Testament<sup>1</sup> as follows to wit. I do devise all my Estate both real and personal unto my Children Brockholst, Susanna, Catharine the widow of Matthew Ridley Esquire—deceased,<sup>2</sup> Mary the Wife of James Linn Esquire Sara Van Brugh the wife of the Honorable John Jay Esquire and Judith the Wife of John Watkins Esquire, and to the Heirs and Assigns for ever equally to be divided between them share and share alike as Tenants in common except as is herein after excepted, and with respect to the part and share herein before devised and bequeathed to the said Mary Linn I do will and direct that the said part and share (in order to keep it out of the power of her husband<sup>3</sup> to appropriate the same or any part thereof to his own use or to become in any degree whatsoever seized or possessed thereof) shall be entirely under the direction and management of my Son Brockholst Livingston to whom I give and devise the same and to his Heirs and Assigns in trust and for the use of the said Mary Linn and in case of his Death to such person as he shall by his last Will and Testament or otherwise for that purpose appoint, with full power to him the said Brockholst or such his appointed Trustee to sell and dispose of either at once or at different times such part of my real Estates as shall happen to become the part and share of the said Mary Linn and the monies therefrom arising together with such part of my personal Estate as shall fall to her share to pay to her from time to time in such portions as to him my said Son Brockholst or the person or persons that shall by him for that purpose be appointed seem most for her interest and advantage with power to him and his Substitute to place any part of the proceeds of her share of my real Estate when turned into cash at interest, if he or his Substitute shall think that measure most beneficial to her, and in that case my will is that neither he or they shall be accountable to her or her Rep-

representatives for any loss that may accrue by reason of the insolvency or removal of any obligor to whom such money may be put out at interest, and the receipt of her the said Mary Linn for any monies that she shall so from time to time receive from my son Brockholst or the person that may represent him in the said Trusteeship shall be a good & sufficient discharge and acquittance in Law for the sum so received against my Claim and Demand whatsoever of her husband, her coverture notwithstanding. And with respect to my Daughter Judith my will farther is that notwithstanding any thing here before contained to the contrary thereof her part and share of my Estate shall be entirely under the direction and management of my son-in-law the honourable John Jay Esquire to whom I give & devise the same and to his Heirs and Assigns in trust & for the use of my daughter Judith and in case of his Death to such Person as he shall by his last will or otherwise for that purpose appoint with precisely the same powers and Authorities to the said John Jay as to the part and share of my Daughter Judith which I have herein before given to my Son Brockholst relative to the part & share of my Daughter Mary excepting only that what my Daughter Judith shall not have received of such her part & share during her lifetime I give and bequeath after her Death to her children then living and to their Heirs and Assigns equally to be divided between them share & share alike. And my will farther is that notwithstanding any thing herein before contained to the contrary thereof, before any division of my personal Estate as above directed, my son Brockholst shall have and I do hereby bequeath unto him my portrait or picture my silver hilted sword my fire arms with the accoutrements thereunto belonging, my map of the state of New Jersey by John Hills,<sup>+</sup> my terraqueous Globe & Chronological Tables with the book explanatory thereof intituled "The Chronology & History of the World etc. by the Reverend John Blair L.L.D.<sup>s</sup> and the steel seal appendant to my watch; and all the Law books which I have lent him. And to my eldest Daughter Susanna, in consideration of her care of, & attention to me in my declining years I do give and bequeath over & above her equal share of my Estate, and previous to any division thereof, my silver coffee pot. And from the regard I have for my grandson Peter Augustus Jay, & to prevent him from forgetting his grand Papa, (though from the affection he has always shewn me I do not think that he wants any external Remembrancer for that purpose) I

give and bequeath unto him my gold watch.<sup>6</sup> And my will farther is that my Library or Collection of Books be not sold upon the division of my personel Estate but equally divided<sup>7</sup> among my following Children to wit, Brockholst, Susanna, Catharine, Mary, Sarah & Judith. And I do farther will & direct notwithstanding any thing herein before contained to the contrary thereof that those of my Children to whom I have given anything by way of Settlement & Advancement in the World shall severally & respectively allow & account for what they have so received from me to the rest of my Children so that after such discount & deduction they may equally share & such discount & deduction to be made agreeably to the several sums annexed to their respective names in a certain List or Schedule entitled an account of what I have advanced & paid to & for my Children & for which they are respectively to account to the rest upon the division of my Estate amongst them,<sup>8</sup> that is to say to share equally after such respective deductions have been made, being the List or Schedule referred to in my last Will & Testament which said Schedule or Account is subscribed with my Name & hereunto annexed for the readier finding it but not with intent to have it proved or recorded with my Will.<sup>9</sup> And Whereas I have made no mention of my Son William in this my last Will & Testament & it may be thought without any declaration to the contrary thereof that it was an involuntary *Casus Omissus*,<sup>10</sup> & give rise to a controversy at Law, I do hereby declare that I have purposely & with serious deliberation omitted him as one of my Devisees upon account of his conduct & behaviour which for a number of years past has been such that no part of my Estate would be of any use to a Person of his turn of mind,<sup>11</sup> when others of my Children will as I have reason to think use it with prudence & of this my intention I have acquainted him, with a promise to alter my Will in this particular upon his proper behaviour for a year from the seventeenth day of Febuary last.<sup>12</sup> At the same time I would wish the rest of my Children so far to contribute to his support out of the share that would have been left him had he behaved as becomes my Son & their Brother as to keep him from real want, but this in order to prevent all disputes at Law. I do not mean as directory or obligatory upon them or so that he shall be able legally to compel them to it. But I would wish them to extend towards him that humanity & charity which is natural for a Parent to desire towards his offspring; & what I know my dear departed wife, if now living, would most earnestly request my

other Children to do. And I do hereby appoint the honorable John Sloss Hobbart one of the Justices of the Supreme Court of Judicature of the State of New York, & Robert Watts & Matthew Clarkson Esquires<sup>13</sup> of the same State, & my Daughter Susanna Executors of this my last Will & Testament.

In Witness whereof I have hereunto my hand & seal this thirtieth day of June in the year of our Lord one thousand seven hundred & ninety.

WIL: LIVINGSTON

Signed Sealed & Declared to be the last Will & Testament of the Testator in the Presence of the Witness subscribing thereto in his Presence.

ISABELLA BELL  
PATRICK DENNIS  
WM. P. SMITH

LS, Nj.

1. For the previous draft of WL's will, in which Susannah French Livingston is named executrix, refer to Draft of Last Will and Testament of William Livingston, 1788 (MHi).

2. For the death of Matthew Ridley see Richard Carson to WL, Nov. 15, 1789.

3. For the most recent mention of the Linns' marital difficulties see WL to Robert L. Hooper, Oct. 4, 1787.

4. John Hills drafted numerous maps and plans of various parts of New Jersey in the 1770s and 1780s. The only known complete map of New Jersey by Hills published prior to WL's death is "A Complete Plan of Part of the Province of Pennsylvania, East and West Jersey . . .," dated 1778, and frequently reprinted thereafter.

5. John Blair's *The Chronology and History of the World from the Creation to A.D. 1753* was first published in London in 1754, with numerous reprints thereafter.

6. On July 6, 1790, WL added the codicil that his grandson William Watkins was to receive his largest silver tankard. Refer to Codicil to William Livingston's Will, July 6, 1790 (MHi).

7. Refer to Lists of books possibly read by William Livingston or in his Library (MHi).

8. On July 1, 1790, WL added a codicil to pay the balances on the advances to make his children equal heirs; and to pay Susannah £500, Catharine £300, and Brockholst £500. Refer to Codicil to William Livingston's Will, July 1, 1790 (MHi). In February 1791 Henry Brockholst Livingston wrote to Caleb Blanchard requesting his attendance to prove the codicil. Refer to Henry Brockholst Livingston to Caleb Blanchard, Feb. 9, 1791 (MHi).

9. For accounts of the divisions of WL's estate refer to Schedules of William Livingston's estate (MHi).

10. *Casus Omissus*: a case omitted. The failure to make provision.

11. For the most recent mention of WL's displeasure with his son see William Livingston, Jr., to WL, Aug. 18, 1789.

12. On July 6, 1790, WL added a codicil which advanced to William Livingston, Jr., £500 and restored him to his share of the estate. Refer to Codicil to William Livingston's Will, July 6, 1790 (MHi).

13. John Sloss Hobart, justice of the New York Supreme Court; Robert Watts, the husband of WL's niece Mary Alexander; Matthew Clarkson, the son of Susannah French Livingston's sister Elizabeth and David Clarkson, were all close associates of John Jay.

## Henry Brockholst Livingston to Susannah Livingston

New York 15 July 1791

Dear Susan,

I send you a deed from the Devises of our late father to Mr. Kip<sup>1</sup> for the farm at Elizabeth town and the Salt meadow belonging to it.<sup>2</sup> I have made Mr. Kip the Grantee on account of Mrs. Linns share.<sup>3</sup> Mr. Kip will afterwards convey to me.

I will pay Mrs. Jay, and Mr. Jay as Mrs. Watkins trustee<sup>4</sup> £200 each on the execution of the deed if you & Mrs. Ridley<sup>5</sup> are in want of the money you shall be paid at the same time. If not Interest will be allowed you and satisfactory security given. Mrs. Linns share I shall of course be accountable for to her, and for Billy's share I must settle with his trustees.<sup>6</sup>

It is now proper to mention that as Billy has taken possession of the farm and declares his intention of not quitting it, I shall expect either that he leaves the house, or signs a paper promising so to do at my request before the deed is executed. I should not like a law suit with him. If a better offer is made for the farm before the deeds are executed, the family will of course have the benefit of it. I am your affectionate Brother

BROCKHOLST LIVINGSTON

ALS, NH*i*.

1. Possibly John Henry Kip. The deed enclosed with this letter has not been found, but refer to Deed, Jonathan and Sarah Crane to WL, Dec. 7, 1770 (MH*i*).

2. Liberty Hall and its 115 acres.

3. In his will, WL named Henry Brockholst Livingston trustee for Mary Livingston Linn's one-seventh share of the estate. See Last Will and Testament, June 30, 1790.

4. John Jay had been named trustee for Judith Watkins' share of the estate. See Last Will and Testament, June 30, 1790.

5. Catharine Livingston Ridley.

6. John Sloss Hobart, Mathew Clarkson and Robert Watts had been named trustees for William Livingston, Jr.'s share of the estate. Refer to Codicil to last Will and Testament of William Livingston, July 6, 1790 (MH*i*).

## William Livingston, Jr., to William Paterson

Flat Land Long Island

29th May 1801

Sir,

Yielding to the request of some of my friends, (and particularly to that of my brother)<sup>1</sup> I have commenced a collection of the fugitive pieces of my worthy parent. While on the one hand there is reason to believe, that the publication of them collectively, would be gratefully received by the public—the measure on the other would be an Act of Justice due to his memory, and might serve to prevent any spurious or surreptitious edition of his works; which the cupidity of profit might lead someone to pass upon the public at a future day and it will perhaps be requisite to accompany this collection with memoirs of the Author. I wish that the task before me had devolved upon one more capable of doing justice to the undertaking—it has been long expected from his Executor<sup>2</sup>—they have severally declined; but it would be a species of treason to his memory to suffer his various writings (thro' their neglect) to sink into oblivion and this in their present scattered state most probably would be the case.

As you possessed for many years, in an eminent degree the confidence and friendship of my father, you may possibly direct me to some manuscripts that might otherwise elude my pursuit & you will enhance the obligation, if you will be pleased to favor me with a few characteristic sketches as well of his writings as of himself.<sup>3</sup> The former it is true must evince their own worth, tho at the same time judicious and critical remarks upon their general style and character would serve to pre-engage and conciliate the reader in their favor. The portrait of himself, none but his most intimate friends can attempt with success.

Meaning to secure the *copyright* of the publication in question, it will occur to you, that my design had perhaps better not be circulated until the work is in some forwardness. Those of the writings of my fathers that I at present recollect, are, The Philosophic Solitude—The Art of Reflector—letter to the Bishop of Landaph—Military Operations of 1758—Governor Colden's Soliloquy—Address to Sir Charles

Hardy—funeral eulogium on President Burr— Pieces under the signature of Hortensius—Addresses to the Legislature of New Jersey and Letters—I have also seen of his composition poetical paraphrase of the Lord's prayer,<sup>4</sup> & a versification of the decalogue. To this catalogue you will be pleased to add such others as may have escaped my memory. Tho' I wish to make the collection as complete as possible I am sensible that many of his writings are irrecoverable.<sup>5</sup> Be assured Sir that any assistance you can render in the undertaking before me will be more gratefully acknowledged by Your Most Obedient & Very Humble Servant

WM: LIVINGSTON

ALS, NHi.

1. Henry Brockholst Livingston.
2. John Sloss Hobart, Robert Watts, Matthew Clarkson, and Susan Livingston were WL's executors. See Appendix, Last Will and Testament of William Livingston, June 30, 1790.
3. William Paterson responded that he was unable to add any writing or other information to what William Livingston, Jr., already had. Refer to William Paterson to William Livingston, Jr., June 13, 1801 (NHi).
4. See Appendix 1, Paraphrase on the Lord's Prayer, (n.d.).
5. In 1802, William Livingston, Jr., had still not been able to raise the necessary funds to publish his collection. Refer to William Livingston, Jr., to William Paterson, Feb. 25, 1802 (NJR). According to Theodore Sedgwick the work was never published (Sedgwick, *Livingston*, 5).

APPENDIX I

*“Virtue and patriotism”*  
*The Essays of*  
*William Livingston*

William Livingston was an essayist virtually without peer in eighteenth-century America. The only polemicist whose influence surpassed that of Livingston in America was the English-born Thomas Paine. While Paine’s work was the direct impetus to forcing the break with England, Livingston’s influence, while not as dramatic as Paine’s, was equally pervasive and lasted for a much longer period of time. Livingston began his literary career on Aug. 19, 1745, when he was a clerk in the New York law office of James Alexander. Bored with the office routine imposed by Alexander, Livingston, using the pseudonym “Tyro Philolegis,” published in the *New York Weekly Post-Boy*, an attack on the apprenticeship system for training attorneys. In his next anonymous diatribe, published in the same newspaper, Livingston satirized Alexander’s wife, Maria Provoost, one of the wealthiest and most successful businesswomen in provincial New York. In this Mar. 3, 1746, essay Livingston poked fun at Mrs. Alexander’s social pretentiousness. Alexander suspected rightly that Livingston was the author and dismissed him.

Livingston, after braving the wrath of his father Philip for having lost his position, secured a second clerkship under William Smith, Sr. He managed to endure the inevitable tedium of legal training by writing essays and poems. One of his earliest and best known poems was “Philosophic Solitude,” published in 1747. In rhymed couplet, Livingston extolled the benefits of the simple rural life he would later try to implement.

His poetry was written for his own amusement, as well as the cultural edification of New Yorkers, but once his legal training was com-

pleted, Livingston was most effective as an essayist. In newspapers, broadsides, and pamphlets, Livingston and his close friends William Smith, Jr., and John Morin Scott, sought to advance the interests of the Livingston family, with whom all were connected by birth, marriage, or business affiliation. Their intent was to inform the public and to enlist their support to further Livingston family interests. Although all three, termed “the triumvirate” by contemporaries, generally agreed on policy, their literary spokesman was usually William Livingston.

In addition to disseminating information about public issues, the trio also used the press to instruct boorish New Yorkers in manners and attitudes. Such was the initial motivation behind the 1752 establishment of *The Independent Reflector*, which offered essays “upon the plan of *The Spectator*, for correcting the taste and improving the Minds of our fellow Citizens.”<sup>2</sup> The Addisonian mission of the *Reflector* changed in the spring of 1753. At that time, the Presbyterian triumvirate viewed with alarm the plan of chief justice and acting governor James DeLancey to establish a publicly supported Anglican college in New York. The Livingstons feared not only the influence of the church-controlled King’s College (later Columbia) on the province but also opposed the college because it was favored by DeLancey, a long-standing political opponent. To protect Livingston family interests, the triumvirate attacked DeLancey and the proposed college in the pages of the *Independent Reflector*. The result was that full public support was denied by the legislature.

Livingston followed his attacks on King’s College by criticizing the DeLanceys’ halfhearted efforts to support the military establishment during the French and Indian War. The two families were in fundamental disagreement as to the conduct of the war, with the DeLanceys favoring a policy of coexistence with the French in Canada while the Livingstons wanted an all-out war effort that would drive the French from the continent. William Livingston wrote “A Review of the Military Operations in North-America,” published in London in 1757. The harshly critical essay served its desired purpose in 1758 when the DeLanceys lost control of the provincial assembly.

William Livingston escalated his polemical writing following the passage of the 1764 Revenue Act and the 1765 Stamp Act. Livingston, using the pseudonym “Sentinel,” convinced New Yorkers that these acts would establish a precedent by which the British government

could impose any tax it pleased on the colonists. Such a policy, he explained, would bring financial hardship to every colonist and would also reduce provincial liberties.

The oligarchs' propaganda efforts were successful in stirring up the urban masses. The tumultuous and unrestrained rioting that resulted in November 1765 caused Lt. Gov. Cadwallader Colden to promise that he would not distribute the stamps. The rioting also terrified the Livingstons, who now recognized the spectre of mob rule. Democracy and anarchy, they believed, would surely follow such uncontrolled popular action. This belief was reinforced in the spring of 1766 when tenant farmers in New York, influenced perhaps by urban unrest, rioted against their landlords. Their targets included William Livingston's brother Robert, who was attacked in his house by two hundred of his tenants.

William Livingston, appalled by the popular action that he helped spawn, decided his written work had done too much to create unrest in the province. He consequently laid his pen aside until the late 1760s. At that point, the DeLanceys had reassumed control of the provincial assembly and the Livingstons were out of political power. Popular support was needed for the Livingstons to regain their influence. In an effort to ingratiate the Livingston faction with the masses, William Livingston resumed his polemic writing, this time in the defense of Sons of Liberty leader Alexander McDougall, who had criticized the DeLancey assembly in print for capitulating to the British crown.

The Livingstons' role in McDougall's defense brought their faction back in favor with the masses, but the DeLanceys remained in control of the New York Assembly until the Revolution. William Livingston, disgusted with the turn of events in New York, decided to achieve his ideal of a rural retreat and in 1772 moved to the quiet village of Elizabethtown. He emerged unwillingly as a delegate to the Provincial Congress, then as a militia officer when hostilities with the British began, and in August 1776 as governor of the State of New Jersey. As governor, Livingston continued to use his pen to further the Whig cause.

To assist in his literary wartime effort, Livingston in 1777 started the *New Jersey Gazette*, in which he published pseudonymous essays in support of the Whig cause. The *Gazette*, New Jersey's first newspaper, was printed by the Quaker Isaac Collins and served as the primary vehicle for Livingston's invective. In its pages the governor, using such pseudo-

nyms as "Hortentius," "Adolphus," "Camillus," "Cato," "Monsieur DeLisle," and "Belinda," mixed prose and poetry under a variety of styles and signatures, to get his message across to the people of the state and the nation. He ridiculed the British and managed to convey the impression that there was widespread support among Americans for the Revolution.

Livingston continued his literary output after the Revolution, fighting paper-money advocates as "Primitive Whig" and defending freedom of the press as "Scipio." Many of his postwar essays were not published until after his death, as seen by the Livingston pieces that follow, most of which were written in the mid-1780s.

In these pieces Livingston reflected the general dismay of conservative elitists who believed the social disruption produced by the Revolution threatened the very fabric of society. To Livingston this disintegration was evidenced by a general decline of morals, virtue, and manners in the American people. This concern is evidenced in such essays as "For Whom Our Revolution?," "Thoughts on the Prevailing Manners," and "The Child Trained Up for the Gallows." In "Observations on the Support of the Clergy," Livingston continues on the same general theme but this time expresses his outrage that people were unwilling to contribute generously to support ministers who were "justly entitled to a decent support."

Livingston deplores the new standards of society in "I Have Seen and I Have Not Seen," "Fraud and Dishonesty," and "On Dreams," in which he waxes indignant that revolutionary soldiers remain unpaid. He also attacks Loyalists who have regained their prerevolutionary position in society, officials who pocket public money, states that ignore congressional directives, and debtors who pay off obligations with depreciated currency, and he is appalled by the failure of the United States to pay its foreign debts.

Livingston further defines his theme in "Our Grand-Mothers" and "Homespun," but in these essays singles out women for criticism. He believes that women, by desiring luxuries, following the dictates of fashion, and not being content to find "happiness in their chimney corners"<sup>3</sup> as did their grandmothers, are destroying the ethical basis of republican society. While Livingston may well have had his maternal grandmother Sarah Van Brugh in mind as a model grandmother, it is

unlikely he was thinking of his paternal grandmother Alida Livingston. Far from enjoying happiness in her chimney corner, Alida Livingston, who probably never wasted her time producing homespun, was an active businesswoman who directed Livingston Manor's numerous enterprises and supervised its several hundred tenants.

Despite his traditional view of women's role in society, Livingston did not favor the double standard of the time, as shown in his essay "Strictures on Lilliput." While bemoaning the excessive power of assemblies, Livingston pauses to wonder why representatives are willing to grant divorces to men whose wives had committed adultery but do not grant divorces to women "for the like flagitious violation of the matrimonial compact."<sup>4</sup>

Although most of the pieces presented date from the postwar period, the exceptions are "Paraphrase on the Lord's Prayer," which is impossible to date, and "Thoughts on Dogs," more than likely written immediately following the conclusion of the French and Indian War. They are included because the former is an example of Livingston's poetry, which, although admired at the time, is by no means as effective or skillfully executed as his prose pieces; the latter because it is a typical example of Livingston's vicious and effective satire.

Gov. William Livingston used his satirical weapons with devastating skill before, during, and after the Revolution. His writings were of national importance and paralleled his contributions as a war governor. Willingly or not, he formed public opinion that brought on the Revolution. During the hostilities, he insured that patriots would continue to support the war effort. Finally, after the Revolution he worked indefatigably to remedy the lack of virtue he believed was destroying American republican society. He considered his efforts crowned with success after the adoption and ratification of the Constitution.

1. "Thoughts on the Prevailing Manners," [August 1791].
2. Klein, *Independent Reflector*, 13.
3. "Our Grand-Mothers," [March 1791].
4. "Strictures on Lilliput," [May 1791].

## Posthumous and Unpublished Works

### Paraphrase on the Lord's Prayer<sup>1</sup>

n.d.

Father supreme of human race  
 Who dwell'st in unapproach'd light  
 Beyond the pure empyrean,<sup>2</sup> where  
 Thou will'st high-thron'd above all height.  
 Whilst with thy Name the heavens resound  
 Let earth one general chorus raise  
 And all beneath the spacious sky  
 Unite in thy stupendous praise.  
 With sacred awe let ev'ry tongue  
 Pronounce the dread tremendous name  
 And far as heard be far diffus'd  
 Profoundest reverence all around.  
 Oh hasten thy unsuffer'd realm  
 Triumphant when thy son shall reign  
 Nor of disease care, sin, or death  
 A single monument remain.  
 Mean while illumin'd by thy beam  
 Dove like descending from the skies  
 Bid in the temple of our hearts  
 Messiah's mystic empire rise.  
 Whilst we thy pardon humbly crave  
 May we forgive our brethren too  
 Nor dare presume t'implore from thee  
 What we ourselves refuse to do.  
 From worldly snares from Satan's darts,  
 That daily threaten to devour  
 The lustful eye, the pride of life  
 Defend us by thy guardian power.

To thee who fill'st infinitude  
 One boundless hymn of ardent praise  
 Of Glory, Rule, Dominion, Might  
 Let Universal Nature raise.

Ms, MHi.

1. The following note by Theodore Sedgwick was added to the manuscript: "the original of the above verse which I found a few days ago among some old papers of Mrs. Symmes. This verse is by her father. I have never met with it before but often seen & heard it mentioned (Aug. 6, 1892 Woodbridge, Theodore Sedgwick Jr.)."

2. empyrean: the highest heaven.

### For Whom our Revolution?

Quis talia fando  
 Temperet a lacrymis<sup>1</sup>  
 VIRG.

[ca. 1784–1785]

When from contemplating our late numerous committees & conventions with indefatigable industry, & in the spirit of Antient Rome, deliberating on our emancipation from tyranny & we turn our eyes in quest of that same patriotic flame which blazed with such splendour at that glorious Arena, & are scarcely able to find the least semblance of it. For whom our Revolution? Alas!

If we look back to the first Congress, & there review an illustrious assembly of Patriots, & to appearance of self devoted patriots resolving with awful solemnity of the highest import measures to the commonweal; & determined if finally unable to preserve our liberties to perish with their freedoms. When we consider How [every] supplications & petitions & remonstrances having proved ineffectual ultimately taking recourse to arms, & for us the political salvation of America, declaring with the devotion of Christians the Spirit of [tenos?], *war for war*; & To your Tents o Israel! When we recollect all the well-affected in America applauding they the heros determinations & promising to stand by them with their blood and Treasure. How Grand, How magnanimous the Congress! How noble, how prodigal & fortun[ate?] their Constituency. But when we view the many subsequent recommendations of this august Assembly disregarded; their solemn admonitions neglected,

their debts contracted by them for securing our Liberties in independence still unpaid, nor are proper measures adapted to discharge the interest,<sup>2</sup> have we not reason to ask, *For whom this revolution? Alas!*

Let us consider our late veneration for the laws of England relative to the security of property & adopting those Laws from a conviction of their being wisely calculated to answer the salutary and [ . . . ] proposed [ . . . ] had the experience of ages to verify their execution. Let us consider our veneration for their government and constitution tho' we reprobated the mere administration of it. Let us consider that in framing our system of government we intended to render perfect security & property if possible, still safer, & that in order to give proper efficacy to republican constitution we intended to supply the want of monarchical energy with the supreme noble virtue of republican citizens; & After this let us consider that we have so [ . . . ] so totally annihilated our late best laws for personal property, that according to our [ . . . ] operation of them there is little or no security in them, that we have transformed our Courts of Justice from well-calculated Interests for recovering our honest debts into engines of chicanery & delay to keep us out of them;<sup>3</sup> & Not instead of the virtuous Republican revering law, & being submissive to [its] authority, Law is perverted into licentiousness, & obedience to superiors, means universal Levellism. Let us I say consider all this; & may I not ask, *For whom our Revolution? Alas!*

In the days of our calamity & distress—Great Britain in arms against us—Our Force not two thousand more, hers above thirty thousand—We proclaimed fasts and appointed days of public humiliation & prayer! We thronged the temples of the Lord; We devoutly invoked the Supreme arbiter of all events for his aid & protection. Relying from the Justice of our cause on his omnipotent arm, we humbly and cordially recognized our dependence upon him as the author of our deliverance . . . <sup>4</sup> Should we [ . . . ] proffered our vows of [ . . . ] a view of our prevailing vices and immoralities & of our general disregard of the Laws & ordinances of our almighty & all gracious deliverer & of our amazing ingratitude for his rescuing us to the astonishment of the universe with an outstretched arm from the more than Egyptian bondage which then threatened us; & may we not most emphatically ask, *For whom this revolution? Alas! and Alas!*

ADf, MHi.

1. *Quis talia fando / Temperet a Lacrymis*: Who, in recounting such misfortunes, can refrain from tears?

2. For other references to the unpaid interest on the foreign debt see WL's essay, "On Dreams" [November 1791].

3. WL is referring to such acts as those passed by the legislature in 1783 and 1784 for the relief of debtors. Among these acts was one for "regulating and shortening the Proceedings in the Courts of Law," which sought to simplify legal proceedings. The act, which set a schedule of legal fees, was vigorously opposed by WL and other attorneys who believed it jeopardized property rights (*Acts* [Oct. 28, 1783–Sept. 2, 1784], 75–84).

4. Several lines that follow are illegible.

## The Child Trained Up for the Gallows

[February 1790]

Quo semel est imbuta recens, servabit odorem testa diu.

HOR.<sup>1</sup>

Becomes the gibbet and adorns the string.

POMFRET.<sup>2</sup>

Is any father so unnatural as to wish to have his son hanged? Let him bring him up in idleness, and without putting him to any trade. Let him particularly inure him to spend the Lord's day in play and diversion, instead of attending on public worship; and instead of instructing him, on that day, in the principles of the christian religion, let him rob a neighbouring hen-roost while the proprietor of it is gone to divine service.<sup>3</sup>

Astonishing it is to see so many of our young people growing up without being apprenticed to any business for procuring their future livelihood!

The Jews had a proverb, "that whoever was not bred to a trade, was bred for the gallows." Every mussulman is commanded by the koran to learn some handicraft or other; and to this precept even the family of the grand signior so far conform, as to learn as much about the mechanism of a watch as to be able to take it in pieces, and to put it together again. Are christians the only people in the world, that are to live in idleness, when one of the injunctions of the decalogues is, to labour six days in the week: and an inspired apostle has commanded us to work, under the express penalty of not eating, in default of it? "This we com-

manded you," says he, "that if any would not work, neither should he eat." "Train up a child," says King Solomon, "in the way he *should* go; and when he is old, he will not depart from it."<sup>5</sup> But if you intend him for the gallows, train him up in the way that he *would* go; and before he is old, he will probably be hanged. In the age of vanity, restrain him not from the follies and allurements of it. In the age proper for learning and instruction, give him neither. As to catechising him, it is an old fashioned, puritannical, useless formality. Never heed it—give him full scope in vice and immorality, according to the pious counsel of the diests, lest his mind be unhappily biassed by the influence of a religious education. Moses indeed, after saying to the children of Israel, "thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy might," thought proper to subjoin, "and those words which I command thee this day, thee then teach them diligently unto thy children."<sup>6</sup> But we know that Moses did not intend those children to be trained up for the gallows. His advice therefore is not in point. Mine, which is immediately directed to the object in view, must consequently be very different. And paramount to any other direction that I can possibly give, I would particularly advise, as an essential part of the course of this education, by which a child, when he arrives to manhood, is intended to make so *exalted* a figure, that his parents should suffer him every sabbath day, during summer and autumn, to patrol about the neighbourhood, and to steal as much fruit as he can carry off. To encourage him more in this branch of his education, in case the poor scrupulous lad should shew any compunctions of conscience about it, I would have his mother partake of the stolen fruit; and to eat it with keener appetite than she does any of her own, or her husband's lawfully acquired [ . . . ]. For his farther encouragement, both his parents should always take his part, whenever the proprietor of the stolen fruit prefers to them his complaint against him; and by all means refuse to chastise him for his thievery. They should say, "where is the harm of taking a little fruit? The gentlemen does not need it all, for his own use. He doubtless raised part of it for poor people." This will greatly smooth his way to more extensive, and more [profitable] robberies. He will soon persuade him of it, that many rich men have more wealth than they really want, and [ . . . ] one part of their [ . . . ] without the formality of asking consent? He will now become a thief in good earnest: and

finding it easier, at least as he imagines, to support himself by theft, rather than by honest industry, he will continue the practice until he is detected, apprehended, convicted, condemned, and gibbeted. Then he will have exactly accomplished the destined end of his education; and proved himself to have been an apt scholar. Under the gallows, and in his last dying speech, he will say, “had my father whipped me for breaking the sabbath; and had not my mother encouraged me to rob orchards and gardens and hen-roosts on that holy day, I should not have been brought to this ignominious punishment. But they have been the cause, by encouraging me in my early youth, in the ways of sin, of this my awful catastrophe, and probably of the eternal ruin of my immortal soul.” Parents! believe and tremble, and resolve to educate your children in opposition to the gallows.

*American Museum*, February 1790.

1. Quo semel est imbuta recens, servabit odorem testa diu: a cask will long preserve the flavor with which, when new, it was once impregnated.

2. John Pomfret, “Cruelty and Lust.”

3. Despite WL’s willingness to give advice to other parents, his relationship with at least two of his own children was troubled. For his censorious attitude toward his daughter Mary, see 3: 367, 369–70; for his continuing conflict with his son William, see William Livingston, Jr., to WL, Aug. 18, 1789. See also WL’s Last Will and Testament, [June 30, 1790], in which the governor made a final attempt to reform his son. Brockholst also incurred his father’s anger when he married a woman of inferior social standing to the Livingstons. See WL to John Jay, Jan. 5, 1785.

4. I Thessalonians 3: 10.

5. Proverbs 22:6.

6. Deuteronomy 6:5, 7.

## Observations on the Support of the Clergy

[December 1790]

Their support, in general, is shamefully mean. The labourer is certainly worthy of his hire; and they are labourers in the sacred vineyard. If they labour as they ought—and we improve as we ought by their labours—the fruits of this vineyard are inestimable.<sup>1</sup> What an august function, to be vested with credentials from the court of heaven, as ambassadors of reconciliation, and heralds to proclaim, on earth, peace, and good will towards men!

They have moreover been exceedingly useful to us in the late revolution; for which we ought gratefully to remember them.<sup>2</sup> Had they been as generally against us, as they were for us, we should probably have found our resistance against Britain much more arduous and protracted than it has been. But they cordially flocked to the standard of liberty; and, by their example and influence, attracted thousands to the same banner. They were almost universally good whigs, excepting some of the northern Levites, who were *fed with the crumbs that fell from the society's table*; and who, as cheerfully, "sold their birth-right for a mess of pottage."<sup>3</sup> Why not then support them honourably? Why fill their minds with anxiety and distress about the temporal welfare of their families, when themselves shall have quitted the theatre of this world—concerns that will irresistibly occupy every feeling heart, how resigned soever to the dispensations of providence? Why embarrass them with worldly cares—when we expect them to consecrate their time to spiritual ones? It is ungenerous: it is niggardly. It is not doing to others, as we would that others should do unto us. For what layman in the whole country, would embark in an occupation, by the day, without the least prospect of leaving a competence to his family at his death? I do not know the man.

I said that "the labourer is worthy of his hire:" and by this I mean, that the clergy are entitled to a generous support. Upon this subject, I cannot join in opinion with a certain denomination of christians, to whose principles, in general, I can heartily subscribe; and for whose conduct, both in temporals and spirituals, I have a very great veneration. The words are the words of scripture and of the great head of the church. They are, moreover, expressly spoken with reference to the apostles, at the very time of their mission, to preach the gospel to the whole world: and St. Paul pre-emptorily claims his right to such maintenance, as such a preacher (I Cor. ix.) and insists upon it, that all who preach it, are *to live by it*, though for some prudential reasons, he thought proper to resign it, as to himself.<sup>4</sup> The *birelings*, therefore, mentioned in the gospel according to John,<sup>5</sup> must necessarily be a different class of men. For my part, I suspect them to be the prelatial bishops, who certainly do not come into the sheepfold by the *right door*; because they are politically introduced through the door of human establishments; which are so many evident encroachments upon the au-

thority of the true and only head of the christian church: and certain it is, that for the most part, and more especially when they are bribed by the prince, to assist him to enslave the people, *they care not for the sheep*, which is another characteristic, there given of hirelings.

Beyond question, by hirelings is meant those ecclesiastics, whose chief good is the wealth of the world—and who love the wages more than the works: in short, those whose wages are fifty times more than the real value of the work; and who are so immersed in schemes of gain and politics, as to “leave the sheep, while they see the wolf coming.”<sup>6</sup> These are, undoubtedly, such “strangers as the sheep will not follow.”<sup>7</sup> If they did, I am persuaded true and faithful gospel-ministers are a very different set of men, and justly entitled to a decent support: and as to the common plea, of our inability to make the provision I contend for, it is generally false. Let us only save of what we now unnecessarily spend, and divert those savings into that channel; and our clergy may live as they ought to live—they may live comfortably at present, and besides be enabled to give themselves to hospitality, as overseers of the flock—or (as people fond of the pageantry of prelacy would translate it) bishops ought to do. And when called out of this world, too often to them, by our scandalous parsimony, “a valley of tears,” may be in circumstances to leave it, without the painful reflexion of quitting it, as in a redoubled sense, “a valley of tears” to their widows and orphans. Thus they may leave it, not as they commonly do, by leaving at the same time their wives and children at the mercy of the public—the miserable beneficiaries of the cold hand of charity. I reprobate the thought. And whence all this sordid parsimony? Is there a parish in the state that desires a gospel minister, and that cannot properly maintain him? I doubt it. Not able to allow him, sayest thou, a sufficient maintenance? What a self-contradictory being art thou, that cannot be prodigal of thy substance at a tipling house, perhaps to the great detriment of both thy soul and body, and in a thousand other instances, unnecessarily lavish of thy money; and only niggardly in supporting the public worship of God, which is instituted for thy spiritual benefit; and may, probably, by the blessing of heaven upon the faithful exertions of thy preacher, make thee wise unto salvation!

Thou hast no conception, thou miserable accountant, of the expense of their education to qualify them to lead thee into the way everlasting.

It often costs them more than twice the value of thy whole farm: a farm which perhaps thou hast never yet paid for; and probably never will, or intend to pay for, [ . . . ] thee to proffer to the [feoffare?],<sup>8</sup> as a lawful tender, that which doth not amount in real value, to one-third of the consideration, which thou didst solemnly engage to pay; and hence the greater utility and necessity of a well-supported clergy, to preach thee into common honesty.

*The same subject continued.*

I concluded my last paper, with remarking, that the clergy deserved the ampler support upon account of the expenses they are at in their education. In addition to this, we expect them to have considerable libraries of theological books. Their congregations, I mean, expect it. For, as to my own part, I doubt not, that the gospel may be preached, and successfully preached, without this immense apparatus of human erudition;—an apparatus that hath but too often proved the unhappy means of inflating with literary pride, and terminated in that “wisdom by which the world knew not God;” while it arrogantly despised, as “the foolishness of preaching, that by which it pleased God to save them that believe.”<sup>9</sup> Indeed, I know it may, because I know it has been, and still is. The apostles had not this kind of preparation. Excepting St. Paul, they were all illiterate fisherman or mechanics: and George Fox<sup>10</sup> alone has, *without* human learning, done more towards the restoration of real, primitive, unadulterated christianity, and the extirpation of priestcraft, superstition, and ridiculous unavailing rites and ceremonies, than any other reformer in protestant Christendom, has *with* it. But the apostles and primitive evangelists were, you say, in preaching the gospel, illuminated and directed by the holy spirit; and therefore wanted not the assistance of systematical codes, and folio volumes of cabalistical criticisms. They were so and who dare, in modern time, or at any time, preach that same gospel without the like illumination and direction. If, without it, he pretends to preach any gospel, I am sure it would be a gospel of his own making, or that of his public preceptors.

But as I confine myself to those denominations of christians who insist upon the clergy’s being so educated and furnished, for the ministerial function, it is certainly an additional argument for augmenting their stipends. I will adduce another reason for a handsome and permanent support for the clergy. They ought to be independent as to their

salaries. Their precarious subsistence upon annual subscriptions, when they are generally meant to be settled for life, keeps them so dependent upon the congregation for the continuance of the same support originally agreed upon, as frequently obliges them to improper condescensions, and greatly diminishes their public usefulness. Such subsistence, I say, is too precarious. It often depends upon the mere whim and humour of the people—often upon the particular humour of a few leading individuals in the parish, and is still oftener liable to be curtailed and retrenched through the natural avarice of mankind.

Having thus far advocated the cause of the clergy, I mean as far as I believe them useful to us as men and members of society in this world, and of great assistance to us as christians, in our preparation for the next: I must in my turn require one favour from them, which I am convinced, they cannot, upon their own principles, deny me. I wish they would insist more than they do, upon the necessity of good works—and be more particular than they are, against the prevailing vices and corruptions of the times. I am no Arminian.<sup>11</sup> I expect not to go to heaven by my good works. They, alas! if a million times better than they are, would still be, in the eyes of an infinite purity, as *filthy rags*. But I want the clergy to convince their flocks, that christian morality is, at least, the sine qua non—that there is no such thing as being a real disciple of Christ without “keeping his commandments”—that no man’s religion survives his morals—and that a knave, who cheats his neighbor, whenever he has an opportunity, let him make what pretensions to pray he will, and say his prayers as often as he pleases, will, without repentance and amendment of life, be—eternally lost.

*American Museum*, December 1790.

1. WL favored an adequate support for ministers but opposed their public support by taxation, which he considered an “iniquitous and unreasonable Burden.” He also opposed public funding of church-controlled schools and in 1753 had written a series of satirical essays in the *Independent Reflector* to block public support for the proposed Anglican-backed King’s College. Refer to Klein, ed., *The Independent Reflector*, 19, 20, 55, 367–77.

2. WL may have had Presbyterian minister James Caldwell in mind. For Caldwell’s wartime activities see 3:202, 425, and 425n; William MacLeod to WL, July 23, 1780, WL to Elias Dayton, June 14, 1781, both 4:18–19, 222–23, and Caldwell’s biography, Appendix II.

3. Genesis 25:31–34.

4. I Corinthians 9:14. The full text is, “Even so hath the Lord ordained that they which preach the gospel should live of the gospel.”

5. John 10: 13. The text is, "The hireling fleeth, because he is an hireling, and careth not for the sheep."
6. John 10: 12.
7. John 10: 5.
8. feoffare: to bestow a fee.
9. I Corinthians 1: 21.
10. Fox was the founder of the Society of Friends.
11. Followers of Dutch theologian Jacobus Arminius.

## I Have Seen, and I Have Not Seen

[January 1791]

*I Have seen* several of our assemblies endeavouring at public economy by lowering the salaries of the officers of government, and other little-nesses of the like nature; and costing the public more in their own wages, by the time they spent in making the reduction (which ought not to have been made at all) than such reduction finally amounted to.<sup>1</sup> But *I Have not seen* one of them calling to a serious account the sheriffs who have defrauded us of hundreds, by pocketing fines; or the commissioners for forfeited estates,<sup>2</sup> who have plundered us of thousands, by trading with the money, converting it into real estate, and afterwards paying us at a great depreciation. Why are not these people immediately compelled to pay this money according to the value at which they received it? This would really be an object worthy of a legislature. This would go a great way towards filling the fiscal coffer, and easing the poor citizens in his taxes.

*I have seen* tories, members of congress; tories, sitting as judges upon our tribunals; tories representatives in our legislative council; tories, members of our assemblies.<sup>3</sup> But *I have not seen* them bribed with British money; nor was such actual vision necessary for my conviction that they were so.

*I have seen* our soldiers marching barefoot through snow, and over ice: *I have not seen* them duly recompensed for it; nor America so grateful for the inexpressible hardships they suffered, as I thought she would have been.

*I have seen* congress recommending to the several states, such salutary measures as would have been of infinite service to the union to have adopted.<sup>4</sup> *I have not seen* the states adopt those measures.

*I have seen* commerce declining; and, worse than declining, prosecuted to undoing; idleness prevailing; self-interest predominating; luxury increasing; and patriotism languishing. But *when shall I see* the true spirit of republicans emerging from its late ignobly-contracted torpor; and blazing out with the same splendor, the same world-astonishing corruscations, with which it so gloriously illustrated the first morning of its appearance?

*I have seen* justices of the peace, who were a mere burlesque upon all magistracy. Justices illiterate—justices partial—justices groggy—justices courting popularity, in order to be chosen assemblymen—and justices encouraging litigiousness. But *I have not seen* any joint-meeting sufficiently cautious against appointing such men, justices of the peace.

*I have seen* four times as many taverns in the state as are necessary.<sup>5</sup> Those superabundant taverns are continually haunted by idlers; and are confessedly so many nuisances. All well regulated governments would abolish them; and yet *I have not seen* any of the courts that license them, willing to retrench the supernumerary ones.

*I have seen* the regency of Algiers, making a cruel and unprovoked war upon the united states.<sup>6</sup> *I have not seen* the secret hand of Great Britain in exciting those infidels to this war, to render her own bottoms the more necessary for carrying on our commerce, and for other purposes by the said act intended.

*I have seen* paper money emitted by a legislature, that solemnly promised to redeem it; *I have seen* them afterwards depreciate it themselves; and therefore I believe, that I shall never see the honest redemption of it.<sup>7</sup>

*I have seen* assemblies enacting laws for the amendment of the practice in the courts of justice. But *I have never yet seen* that practice really amended by them.

*I have seen*, since our revolution, tories promoted to offices of trust and profit, but *I have never seen* the man, who dared to avow either the justice or the propriety of such promotion.

*I have seen* hundreds paying their debts, with continental money, at the depreciated rate of above sixty for one. But *how many have I seen*, who had too much integrity to avail themselves of that subterfuge which the law unintentionally afforded them;<sup>8</sup> and who, instead of infringing the golden rule, though protected by human edicts to sin against it, no-

bly disdained to violate the solemn dictates of their consciences, and against light, and knowledge, and gospel, to defraud their neighbour of his due? How many? Not enough to constitute a legal jury.

*I have seen* congress necessitated to borrow money from France and Holland; but *I have not seen* this state take proper measures to discharge its proportion of those engagements.<sup>9</sup>

*I have not seen* any of our continental officers, who were, during the war, posted upon our lines for the express purpose of preventing the illegal commerce with the enemy in New York, themselves carrying on that infamous traffic.

I will not tell all that I have seen. The veracity of an historian is often called in question, when he speaks of disorders in government that appear incredible. He is obliged to relate facts, which, because extraordinary, though true, are received as exaggeration and romance. I hope, for the future, to see virtue and patriotism resume their primaeval glory; and our independence, procured at the expense of so much blood and treasure, for ever and ever established in righteousness.

*American Museum*, January 1791.

1. For legislative attempts to reduce the fees of judges see "Scipio," [Mar. 23, 1784].
2. For a recent reference to the forfeiture of Loyalist estates see John Tabor Kempe to WL, Nov. 6, 1787.
3. For the long-standing resentment of Whigs toward Tories see, for example, WL to Sir Guy Carleton, Aug. 10, 1783.
4. For the congressional request that states approve an impost see John Beatty to WL, Feb. 25, 1784, and n. 4.
5. For WL on the dangers of taverns see "Scipio," [Mar. 23, 1784].
6. For previous reference to the conflict with the Barbary states see WL to John Jay, Jan. 18, 1790, and n. 1.
7. On paper money see "Primitive Whig," No. IV, [Jan. 30, 1786].
8. For the New Jersey act authorizing payment of debts with paper currency see "Primitive Whig," No. VI and n. 4, [Feb. 13, 1786] and WL to Susannah Livingston, Jan. 19, 1789.
9. For Alexander Hamilton's efforts to solve the debt problem see his letter of Feb. 8, [1790] to WL.

## Our Grand-Mothers

[March 1791]

Ubi prima quies medio, jam nactis abactae,  
 Curricuio expulerat somnum, cum femna primum,  
 Cul tolerare colo vitam, tenuique Minerva  
 Impositum cinerem et sopitos suscitât ignes,  
 Noctem addens operi, famulasque ad lumina longo  
 Exercet penso; castum ut servare cubile  
 Conjugis, et possit parvos educere natos.

VIRGIL.<sup>1</sup>

OUR grand-mothers were not, it is true, so gaily drest, as our wives, but of inexpressibly greater utility to their husbands. They saw with a glance of the eye, whatever concerned the welfare of the family. This they were studious to promote. In this, they placed their renown. They were strangers to dissipation; nor were they seen constantly abroad. Their own habitations were their delight; and the rearing of their offspring, their greatest pleasure. Content with a kind of domestic royalty, they considered every part of this administration as of the last importance. Queens without a crown, they were “a crown to their husbands” and not only saved their earnings by their economy; but augmented their treasure, by their industry. This was the source of their pleasure; and the foundation of their glory. They maintained good orders and harmony in their empire—every female servant at work under their direction—every unnecessary waste prevented by their circumspection—such grand-mothers what blessings to their families! They enjoyed happiness in their chimney corners, while their deluded granddaughters seek for it in vain, amidst the turmoil of the world. Their good housewifery supported families, that have since crumbled into nothing. In short, the wife appeared to accept herself of a task equal to the labour of the husband, in being occupied with an infinity of cares respecting her interior department. Careful to inspire her female progeny with the like assiduity, she reared an offspring like herself. With such education (no French dancing masters then for country girls that ought to be at their spinning wheels) their daughters were early inured

to join such amiable mothers in causing the sweet and peaceable charms of private life to reign in the family. By such virtues and accomplishments, they recommended themselves to the other sex; and, with their frugality and industry, were a better fortune without a groat, than a woman destitute of both with thousands. Hence a man inclined to marry, feared not to choose such a mate; a mate that would save and increase, instead of squander what he had; and was likely to perpetuate a race of diligent and attentive women.

O how often have I admired the industry of our grand-mothers! How often in being an eye-witness of their domestick assiduity, have I applied to them those lines of Juvenal.

Vos trabatis lanan, calathisque peracta refertis  
 Vellera: vos tenui praegnantem stamine fusum  
 Penelope melius, levius torquetis Arachne!<sup>2</sup>

But how remote are we from duties so simple and endearing! A regular and uniform conduct would seem a torment to our gossips and gadders. They want perpetual dissipation—all out of doors—full of vanity, and loaded with the gew gaws of London and Paris. “Who can find a virtuous woman? For her price is far above rubies. She seeketh wool and flax, and worketh willingly with her hands. She riseth also while it is yet night, and giveth meat to her household, and a portion to her maidens. She layeth her hands to the spindle; and her hands hold the distaff. She stretcheth out her hand to the poor; yea, she reacheth her hands to the needy. She maketh fine linen, and selleth it. And delivereth girdles to the merchant. Strength and honour are her clothing, and she shall rejoice in time to come. She openeth her mouth with wisdom; and her tongue in the law of kindness. She looketh well to the ways of her household, and eateth not the bread of idleness.”<sup>3</sup>

*American Museum*, March 1791.

1. Virgil, *Aeneid*, 8:408–13. “Then, soon as rest, first indulged, had driven sleep away, when flying night had run half her course; just when a woman, compelled to support life by spinning, even by Pallas’s slender craft, makes to light the fire that slumbered on the embers, adding night to her day’s work, and keeps her handmaids laboring long by the blaze, all that she may preserve her husband’s bed unsullied, and bring up his infant sons.”

2. You card wool, and carry back / in full baskets your finished / Fleeces; you the spindle, big with slender thread, / Better than Penelope do twist / and finer than Arachne . . . (Juvenal, *Satire*, 2:54–56).

3. Proverbs 31:10–27.

## Strictures of Lilliput.

[May 1791]

The Lilliputians had, for a great number of years, lived under a monarchical government.<sup>1</sup> For the two last reigns, immediately preceding the memorable era which I hasten to commemorate, they had been blessed with two good kings—good, in the sense in which kings are said to be so. Upon the demise of the last of the two, his grandson, as heir to the crown, mounted the throne. He was ambitious of arbitrary sway. He was moreover stimulated to it by counsellors who detested all *justifiable revolutions*, although prompt to *real rebellion*, when the emergency of affairs promised success. This deluded monarch determined, by the aid of his domestic subjects, to enslave a remote part of his dominions—a part separated from his three kingdoms (for three kingdoms he had, besides ridiculously styling himself king of a fourth, which he had not) by an extensive ocean; and which had ever been more loyal to his predecessors than his subjects in either of those three kingdoms. Those, his dominions would not submit to his unrighteous exactions—exactions, necessarily involving in them complete and absolute bondage. But, as good subjects, and utterly averse from giving the least colour for the imputation of disloyalty (for they sincerely loved the race of his predecessors, of which he was a branch; and they loved the laws by which his three kingdoms were governed, and to the protection of which they had an equal right) they humbly petitioned for a removal of the grievances he accumulated upon them. They humbly remonstrated against the rigorous measures he threatened to adopt for enforcing them. But they petitioned, they remonstrated in vain. He had no ears to admit complaints. He was deaf to supplications. He was a tyrant. He sent a formidable armament against them. He desolated their country with fire and sword; but they resisted, they nobly resisted, and finally, (miraculous their success!) they compelled him to declare them, a free, sovereign and independent people; and to disclaim all further pretension to any jurisdiction over them. Thus, this part of the dominions of the emperor of Lilliput became a separate nation. This nation remembered, established in their several cantons, though confederate as to national

defence, and other national connexions, their respective independent political constitutions—constitutions all admirably concerted to guard against any future inroads of tyranny, and to transmit liberty inviolate to the latest posterity. I shall confine myself to one of those cantons. They adopted all the laws, in use amongst them while a dependent territory upon the emperor, and that were not incompatible with the principles and spirit of their new-created republican form of government. They established a senate to legislate for them; but restricted their authority so as not to enact any laws repugnant to the constitution, previously, fundamentally, and unalterably settled. This senate was annually elected; and though composed of honest men, and, in the opinion of the most authentic historians, not actuated by the motives of ambition, it gradually encroached upon this constitution. It sometimes passed edicts against the very letter, frequently against the spirit of it. It rendered property extremely precarious. It favoured debtors, to the manifest injury and oppression of creditors. It embarrassed the stated tribunals of justice. Under pretence of shortening legal proceedings, it procrastinated them. To conciliate the good graces of the indolent, and thence the moneyless, it devised every expedient to reduce men of property to a level with those who had none. It abolished all faith in their own engagements, by perpetually breaking them. It issued paper-money, promising, and solemnly promising to the bearer and possessor of it, the value in gold or silver, impressed upon such paper.<sup>2</sup> It did not perform such promise. It contrived every shift and subterfuge in the world, to elude it. It made *expost facto* laws to discharge some of the most worthless and knavish part of the community from their solemn contracts and stipulations with the most meritorious and industrious. It made no difference, in this dispensation from paying an honest debt, between an unfortunate debtor, reduced to poverty by the frowns of providence, and a debtor who had lavishly squandered what he borrowed of his neighbour upon interest, in luxury and extravagance. Conformably to their plan, the creditor was ever to be puzzled and distressed; the debtor to be ever aided and protected. Nay, some of the Lilliputian historians make no scruple to intimate, that such unconstitutional acts originated from a number of individuals in the senate, being themselves in the disagreeable predicament of debtors. But this I should rather think a groundless slander upon so respectable a body as the senate of Lilliput:

and historians are not to be believed, in their relation of things incredible, or exceeding the bounds of probability. This, however, may, from the best authorities, be depended upon; that although they all took an oath, on taking their seats in the legislature, never to assent to any law that should annul or repeal that part of the constitution established at the commencement of the said revolution, which respected a trial by jury, they *virtually* annulled it in manifold instances. They made property triable by six men; which was not a *trial by jury*: they transferred property, from one man to another, without such trial, by *ex post facto* laws, for cancelling of debts, *bona fide* contracted, and *mala fide* unpaid.<sup>3</sup> They *actually* did it by arrogating to themselves the *judicial* department, when they were only entrusted with the *legislative*. They did, in several instances, divorce a wife from her husband for the adultery of the former: “but being themselves men, and thence probably partial to their own sex, I do not remember,” says my author, “a single instance, of their repudiating a husband from his wife, for the like flagitious violation of the matrimonial compact.<sup>4</sup> At any rate, it was not,” he subjoins, “a *trial by jury*. At any rate, a woman in so delicate a point, and in a matter of so great moment to her, had a right to such trial. Why then,” adds my historian, “did the senate of Lilliput thus wriggle themselves into the judicial department, upon which, if they had it not, they ought immediately to have conferred the power of divorcing, in order that every man and every woman might, agreeably to the said constitution, have a *trial by jury*. And, what,” asks he, “finally became, by such repeated violations of the constitution, of this Lilliputian republic?” He answers the question himself: “it soon sunk” says he, “into perdition:” and, had he ever read our Shakespeare, he would probably have super-added “*and like the baseless fabric of a vision, left not a wreck behind.*”<sup>5</sup>

*American Museum*, May 1791.

1. Refer to Jonathan Swift’s “Voyage to Lilliput,” book 1 of the 1727 *Travels of Lemuel Gulliver*, a satirical attack on the Whigs and their leader, Robert Walpole. For WL’s previous use of this work see “The Impartial Chronicle,” [ca. Feb. 15, 1777], 1:226–39.

2. In a series of six essays written in 1786, WL, using the pseudonym “Primitive Whig,” wrote against the issuance of paper money. See his essays of Jan. 9, 16, 23, 30, Feb. 6, and 13, 1786, and two responses, both dated Feb. 6, 1786.

3. The N.J. Legislature in 1783 and 1784 passed several laws for the relief of debtors. Among them was “An Act for regulating and shortening the Proceedings in the Courts of Law,” passed Aug. 21, 1784. This act which tried to simplify legal procedures by elim-

inating delays, stipulated that in all cases involving personal property the grand jury would be dismissed after one week. The cause would then be heard by three constables of the Supreme Court and two constables at a Court of Common Pleas (*Acts* [Oct. 28, 1785–Sept. 2, 1784], 75–84). See also WL's essay, "For Whom Our Revolution?," [ca. 1784–1785].

4. Only five divorces were granted by the N.J. Legislature between 1776 and 1790. Divorce cases were also heard in chancery as was the case of WL's daughter Mary Livingston Linn. WL, who clearly believed his son-in-law James Linn to be at fault, excused himself from serving in his role of chancellor when the case was heard. See WL to Robert L. Hooper, Oct. 4, 1787.

5. *The Tempest*, IV, 1, ll. 151, 156. WL omits the intervening lines, "The cloud-capped towers, the gorgeous palaces, / The solemn temples, the great globe itself, / yea, all which it inherit, shall dissolve, / And, like this insubstantial pageant faded" (ll. 152–55).

## Homespun

[July 1791]

Sic vos non vobis, vellera fertis oves.

ASCIBED TO VIRGIL<sup>1</sup>

By what strange [fantasy], by what unaccountable fortuitous course of [ . . . ], has our *homespun* gone out of fashion, in a country that ought to glory [ . . . ] and in which its perpetuity would annually have saved thousands of pounds? O how have I been delighted to behold, in the county of Bergen, piles of this *home wrought* woolen, not only intended for the dress of my male compatriots, but for the [ . . . ] investment of the delicate limbs of my fair country-women, towering [as] an Egyptian pyramid, between the bureau and the lateral wall, and keeping [ . . . ] company with the large brass clasped bible on the top of the former, as if to say, those sons and daughters of industry borrow their maxims from the scripture! How I have been delighted to think, that with such comfortable [habitments], the sex in particular would be sheltered from the inclemency of our rigorous [winds]; while, with the flimsey importations of Asia and of Europe, they are constantly exposed to all the diseases, caused by the cold; perhaps to [abortion]! This laudable economy was not particular to Bergen. It is not long since that the manufacturing of our own cloth was very general amongst our farmers. Why is the practice so generally discontinued at present?<sup>2</sup>

Must we necessarily determine upon a domestic, because we have acquired a political revolution? And the former as ruinous, as the latter is or may be advantageous? Those who keep sheep, and have a sufficient number of hands to cultivate their farms, can certainly make *homespun* to advantage. The same hands, that at the proper seasons are employed in cultivating the field and performing other works of husbandry; have, at other times, leisure enough to apply themselves to this useful occupation; and not inconsiderable share of it may be carried on by the female part of the family. But, alas! alas! the unextinguishable rage for foreign finery! Those who most complain of the want of a circulating medium,<sup>3</sup> seem to be the least attentive to what providence has with exuberant bounty, poured into their lap; and the most addicted to run mad after exotic luxuries. Doth a true woman in Paris send to London a doll completely accoutred to shew the new mode; away [hie] the English (notwithstanding their national indolence to, and their national contempt of, every other people upon the globe, away they hie) after the doll. At the sight of this pageant (O how wonderously pretty!) off goes the present head-dress of every lady in the realm, to make room for the exact similitude and pattern of the coiffure of the newly-arrived, pretty, little, dear, charming stranger from France. The Parisian taylor in his turn, acts the like part, in order to introduce the *a la mode de Paris* amongst the male part of the same aping nation. What is all this to us Americans, you ask, and what connexion hath it with our *homespun*? Why, I should not care about what fashions the French introduced amongst the English either by the address of their tire-women, or their tailors, did the matter stop there: but then the dress of this same confounded doll, and the artifices of these same confounded tailors, which, in the event cost more than a million, are by England transported to America. On their arrival with us, away with the present head dress of *our* women; away with the present fashions of the clothes of *our* men; and be ye all altered according to this new invention of France, and its consequent adoption by England, upon the pain and penalty of being called *old fashioned*. *Now*, it materially interferes with our *homespun* and with our fashions.<sup>4</sup> *Now*, I have to do with it; and will have to do with it. Nay at present the matter is still worse, than formerly it was. At present, from our connexion with his most christian majesty, these our allies need not take their ancient circuitous route, to introduce their

new modes amongst us. We can now, without the intervention of England, have the honour of being their apes in the first instance. But why should we ape either of them? Respecting this matter I like the French as little as I do the English. Both have the same view in introducing this kind of luxury amongst us. It is to vend their manufactures. I dislike the views of both. I like our *homespun* and our *own* fashions. Why perpetually alter them? Why throw away clothes not half worn and very decent, merely to buy others of a different form? Doth this comport with the general complaint of the scarcity of money? It is monstrous extravagance. The Chinese beyond all question the wisest people in the world, as to their internal police, never change the fashion of their dress. What immense sums of money are saved by this regulation! By the same regulation, the people called quakers save thousands. Will the world be eternally mad, with the wisdom of the Chinese and of the quakers before their eyes? Let us, my fellow citizens, imitate those illustrious examples; and leave both the Parisians and the Londoners to their dolls and their tailors. Let us make *homespun*. My fair countrywomen will at least take my advice as far as *homespun* will go towards the composition of the petticoat. The beauty of that part of female dress can be no object; because, as to the virgin part of the sex especially, it is presumed to be *invisible*. To your *homespun*, my fellow citizens. Have the patriots to disappoint both Gaul and Albion in their arms, to drain your every copper for their trifles and Baubles. Disappoint both of them in their contest who shall make the most of you; and which of them shall soonest ruin you. To *your homespun*, I say. And in order to facilitate its fabric, I would advise our farmers to desist from their present practice of selling their best lambs to the butcher: and at the same time urge the [utility] of exchanging their rams with some distant farmer, every year.

*American Museum*, July 1791.

1. *Sic vos non vobis, vellera fertis oves*: Thus, do ye, sheep wear fleeces for others (Virgil). A poet named Bathyllus claimed authorship of a distich prompting this response from Virgil.

2. For a similar complaint by WL about farmers who purchased imported fabrics for their families see "Scipio," [May 24, 1784].

3. For the popular desire for paper money see Answer to the Primitive Whig (A), [Feb. 6, 1786].

4. For WL's conservative views on women's attire and their role in society see his essay

“Our Grand-Mothers,” [March 1791]. Part of WL’s concern over the buying of foreign luxuries was spurred by the resultant drain of specie from the United States, which in turn led to cries for the emission of paper currency. For WL’s opposition to this form of debtor relief see “Scipio,” [May 24, 1784], and his “Primitive Whig” essays of Jan. 9, 16, 23, 30 and Feb. 6 and 13, 1786.

## Thoughts on Dogs

[June 1791]

Impaste fugistis aves rabilamque canum vim.

STATIUS.<sup>1</sup>

I, HAVE, I must own, no small veneration for the memory of Argus,<sup>2</sup> a favourite dog of Ulysses, that, upon the testimony of Homer, recognized his master after twenty years absence—an affectionate dog, who by wagging his tail, and giving every other token of joy that a dog can give, welcomed that celebrated hero’s return to Ithaca; and then instantly expired. But I do not like all dogs; and pray who ever admired the snarling cur, *Cerberus*?<sup>3</sup> I have, in particular, an aversion to lap dogs. I wish I could cure it; because they are so often the fondlings of the ladies; and who would choose to be an enemy to any living thing, that is honoured with their affection? For such enmity, therefore, it is incumbent upon me publicly to account. I will cheerfully do it. In a [recent] war between France and Great Britain, the latter sent to America my Lord Loudon,<sup>4</sup> as generalissimo of her army, to take Quebec. My Lord had a lap-dog. I don’t remember its name; but I dare say it was at least as sweet as that of *Dulcinea*.<sup>5</sup> It was a very great favourite of his lordship. Whether or not he tried to kiss it, I will not depose; but he hugged it, and he stroaked it, and he fed it in the morning with chocolate sweetened with [ . . . ] sugar. Later conceiving from his own fund of knowledge, or being so advised by the most current physicians, that the air of New Jersey would prove more salutary to the health of this charming tory creature, than that of New York, the [ . . . ] sent it to Mr. West’s at Elizabeth town point, to be there boarded during the summer season. Full as solicitous about proper [support] or apparel [ . . . ] and accommodations for this beautiful little play-thing, as for those of his troops,

he sent with it a careful assiduous nurse to attend it, with particular directions to [ . . . ]. Upon this I asked *myself* (for my lord, in the period of his [ . . . ] from his arbitrary [ . . . ] was that kind of man, that I running the risque of being hanged, have asked the question of another) [ . . . ] *general, who is extremely attentive to a lap-dog, ever Conquer Canada?* My lord did not conquer Canada. What did [ . . . ]. Why, he [ . . . ] the property of others, while [very][ . . . ] of his own. He [ . . . ] chancellor of Great Britain had [ . . . ] without trial by jury: he played with his lap-dog, and he [ . . . ] on immense fortune, which [methinks?][his enemies?][ . . . ] but thought of appointing [for the?][ . . . ] some identical pretty little [ . . . ] as much any more than its boarding at Mr. Wests. *My lord did not conquer Canada.*<sup>6</sup> That glory was reserved for general Wolf,<sup>7</sup> [ . . . ] dog in question, [ . . . ] Proving the fatal occasion of a most successless campaign, at a time, gentle reader, when you and I and all of us loved Great Britain, though she did not love us, hath to this moment (asking the pardon of the ladies, and all the lilies male of the land) given me an aversion to all canine breed, of that diminutive species.

As to *bounds*, it is a delicate point to say any thing to *their* prejudice. They are dogs of sport; and who would wish to spoil another man's sport? But twenty men, and twenty horses, and twenty dogs in twenty hours chace, and trespassing on twenty times twenty of their neighbours inclosures, for the important purpose of killing one fox!<sup>8</sup> Peradventure, too, instead of a fox, as I have actually known it to happen, to dig out of a hole to which the *well-scented* hounds had led the eager hunters, a miserable opossum. O the wonderful utility of hounds!

Respecting *puppies*, I will not say a word against them. They are very *numerous*; and no prudent man will unnecessarily create a multitude of enemies.

But to dogs in general, I cannot be reconciled without drawing some public benefit from them. They are great eaters. Some of them would distance at this exercise, the greatest epicure in a neighbouring state, along side of a haunch of venison or a green turtle. They often consume what were better bestowed upon the poor; and what would feed many hundreds. They are out of all humour with the moon, when in its brightest splendor, which argues their love of darkness, and probably for the works of it: they frequently tempt a horse to throw his rider: they frighten the ladies; and it is not long since that one [ . . . ] them

ran away with, and finally feloniously murdered, the favourite parrot of Belinda,<sup>9</sup> that had long been the entertainment of the whole family; and spoke as articulately, and generally more sensibly, though not so vociferously, as our modern Demosthenes<sup>10</sup> of New Jersey. They often bespatter the silk stockings of a wooer; and compel him to return home (painful interruption, considering his errand) for another pair: they continually break the peace amongst themselves; and we have no laws to punish their frays and riots: they bark at us in a day; and they disturb our repose by night; and whether from a guilty conscience or not, they frequently run mad; and for the bite of a mad dog, there are more recipes than cures.

From the supernumeraries of those, for the most part, very useless animals, a considerable revenue might be extracted, for the benefit of the state. A very small tax upon every dog above one in a family, and so in proportion for more than two, would amount to a great sum; and I cannot think the serious consideration of such an impost, beneath the dignity of the legislature.

*American Museum*, June 1791.

1. *Impaste fugistis aves rabilamque canum vim*: Hungry, you flee the birds and the raging power of the dogs.

2. Argus or Argos. Refer to Homer, *Odyssey*, 17: 387–485.

3. Cerberus: the monstrous dog guarding the entrance to the underworld.

4. In 1756 John Campbell, fourth earl of Loudon, replaced Massachusetts governor William Shirley as commander in chief of American forces during the Seven Years' War. Shirley, a personal friend of the Livingstons, awarded the highly profitable contract to supply the American army to the firm headed by WL's brother Peter and Lewis Morris, Jr. On his arrival, Loudon allied with the Livingston family's traditional enemies, the DeLanceys, and seeking to discredit Shirley, initiated an investigation into the Livingston-Morris supply accounts. The Loudon faction further weakened Shirley following the August 1756 fall of the fort at Oswego to the French. WL defended Shirley's conduct, while attacking the pro-mercantile, anti-imperialist policies of the DeLanceys, in his 1757 *Review of the Military Operations in North America* . . . (London, 1757; New York, 1770).

5. Dulcinea: the idealized lady love from Cervantes' *Don Quixote*. For another reference by WL to Dulcinea see his letter to John Jay, Jan. 5, 1785.

6. Loudon was recalled in December 1757 by the British secretary of state, William Pitt, for not providing a plan for military operations for 1758 and for failing to correspond with the appropriate king's ministers.

7. In 1758 James Wolfe replaced Loudon as American commander in chief. Under Wolfe's command England successfully attacked Canada in 1758–1759. Wolfe died in battle on the Plains of Abraham during the Sept. 13, 1759, attack on Quebec.

8. WL's allusion is to the disproportionate damage done by horses to farmer's fields, despite their enclosure by fences, during a fox chase.

9. Belinda is the heroine of Alexander Pope's 1712 poem *The Rape of the Lock*. In this mock epic poem satirizing upper-class English mores, lap dogs and parrots appear jointly as the useless toys of the frivolous.

10. Demosthenes: Athenian orator and statesman. For another WL reference to Demosthenes see "Scipio," May 3, 1784.

## Thoughts on the Prevailing Manners

[August 1791]

O MORES.

PERSIUS<sup>1</sup>

If virtue is the true spirit, and the grand support of republics, what must become of a commonwealth, in which that spirit is hastening to extinction; and that pillar *tottering to its fall*? How melancholy the prospect, to see so many of us utterly inattentive to the interest of our country; and without a single thought about the common weal, totally absorbed in projects to advance our private emolument! *O mores!*

Is not our independence, which has cost us so much blood and treasure, worth preserving? Is it not worth perfectionating to the highest degree of glory and happiness, of which it is capable? As to the treasure, indeed, we have hitherto invented shifts and subterfuges to amuse our public creditors; but the blood by which it has been obtained, has been really expended; and the effusion of it would probably not be regretted by the beautiful souls of those patriotic heroes who have fallen in the contest, could they but see (if superior spirits behold our actions) that the prize, to the acquisition of which they so materially and so dearly contributed, was properly improved. But instead of having their felicity augmented by surveying the aggrandizement of this august fabric of liberty, whole foundations were laid in their blood, to see it threatening to crumble into ruin, by the decay of our public virtue; and beholding us leaving their widows and orphans unpaid and pennyless—with what indignation and contempt must they look down upon our degeneracy and ingratitude? And if unembodied human beings can be disturbed in their celestial happiness by the obliquities and perversions of their fellow men below, such conduct must occasion, one would think, a momentary pause in their bliss immortal! *O mores!*

To betray the least reluctance at paying our proportion of taxes for defraying the expenses of a *revolution*, which is the astonishment of the world, and which hath delivered us from the chains and shackles, and the priest craft, material craft, king craft, and devil craft, that were combined to that then forever. *O mores!*

To endeavour to procure laws in favour of the idle and dishonest and to render precarious the property of the diligent and virtuous citizen! *O mores!*

Instead of having our souls inflamed with gratitude unremitted and unextinguishable to our Almighty Protector, for his ineffable loving kindness and tender mercies, in delivering us from the profound abyss of our public duties—to live in open violation of his sacred laws; and by our immoralities to insult the omnipotent and benevolent Author of our deliverance! *O mores! O mores!*

To turn liberty into licentiousness; to recoil at all subordination, and treat with less reverence and respect the officers of government and magistrates of our own choice and appointment, than we did, under the dominion of Egypt, the ministerial tools of Pharaoh's kingly construction, who were sent among us rather to fleece, than to feed this remote corner of the royal sheepfold; and gradually to mature the long-hatched regal and prelatial project of our final and irretrievable thralldom. *O mores!*

To behave, in short, as our enemies wish us to behave, in order to weaken the foundations of our political establishments, and to flatter their hopes of having an opportunity, some time or other, to re-essay our subjugation to British tyranny! *O mores!*

For heaven's sake, my dear countrymen, let us deport ourselves, like citizens of a commonwealth founded upon the principles of liberty, your virtue and patriotism—and by virtue and patriotism only to be supported and perpetuated. Let us not stifle that patriotic flame which so powerfully animated, vivified and invigorated our breasts at our first embarkation on that ocean of tempest, which HE that walketh upon the wings of the wind, was pleased, *with a let there be liberty*, to speak into so glorious a calm. Let it never be quenched by self-interest or filthy lucre. But let us cherish it, foster it, nurse it, glew it to our hearts; or rather *write it upon them with a pen of iron, and with the point of a diamond; and engrave it upon the table of them, and upon the horns of our altars.*<sup>3</sup> Amen!

*American Museum*, August 1791.

1. O Mores: O, manners (Persius, I:26).
2. Jeremiah 17:1.

## Essay on Fraud and Dishonesty

[September 1791]

Fraudesque, dolusque,  
Insidaeque—et amor secleratus habendi.

OVID.<sup>1</sup>

Should one remind our every-day, cheating, pretended christians, of the eighth commandment, and say, *thou shalt not steal*; would they not resent the admonition with the indignation of Hazael, upon another occasion, *is thy servant a dog, that he should do this?*<sup>2</sup> And yet what is the difference between downright theft, and the frauds daily committed amongst us? In contemplation of law, indeed, I know there is a distinction, both as to the definition and the punishment of the two crimes. But I mean in equity and conscience. For nothing more frequent in law, than a distinction without a difference. For stealing consists in secretly possessing ourselves of another man's property, without his consent, and with intent to convert it to our own use; is not fraud attended with every essential ingredient of theft? In the latter case, I own, that the person defrauded, doth, in one sense, agree to part with his property, or he would not assent to the bargain: but he only agrees to it, in the sense in which the matter is represented to him by the fraudulent dealer and that being, by the supposition, altogether a fallacious representation, he does in reality not agree to it at all. Property, therefore, so acquired, is in fact, and in *foro conscientiae*,<sup>3</sup> as much stolen, as ever were any goods and chattels that were feloniously carried off by *Jonatban Wild*.<sup>4</sup> Fraud! Deliberate fraud! A crime in itself of the most atrocious nature, of the blackest malignity, and the most pestilent consequences. A crime destructive of all trust and confidence amongst men—of all justice and equity, the grand support of the world— and directly tending to the utter subversion of society. To a man so totally depraved and corrupt, as to be capable of such a villainy, are doubtless applicable the emphatical words of Ezekiel, "*thou hast greedily gained of thy neighbor by*

*extortion; and hast forgotten me, saith the Lord.*"<sup>5</sup> And yet what legions or such grave-looking thieves have we in almost every part of the country? Fellows, that will even borrow the venerable garb of religion, the better to facilitate their fraudulent and insidious purposes; and with all their adjusted physiognomy, and *Oliverian* cant,<sup>6</sup> will cozen their neighbor with as much composure, and as little remorse, as they would gulp an egg dram or a quart of grog. Nay, I insist upon it, that thus stealing under covert and the mark of honesty, is a crime more aggravated than what the law calls theft; because a crime committed under the cloak of religion, or a warm profession of integrity, is the more criminal and detestable for the superaddition of hypocrisy to its own native and intrinsic criminality. Who is that affectedly demure and anchorite looking fellow yonder, with a countenance as fixt and solemn, as if it had been cut out of a locust tree? and driving a carriage with a cord of wood that is less than half a cord? Not a single feature or lineament in motion save the elevation of his eyes, and those too highly elevated for an upright heart! If he is an honest man, I shall wonder at it; because I never saw an honest man wear such a face. And yet *the church would be wounded through his sides, should he not be punctual to his engagements, and honest in all his dealings.* Honest in his dealings! Why, he will cheat you the very next morning with as keen an appetite as he eats his breakfast.

And what is truly deplorable, fraud and dishonesty are becoming so common, as to have in a great measure destroyed that innate shame, which is one of the most powerful preservatives from licentious practices, and a considerable succedaneum in commercial transactions, for the want of real virtue. Nay, I have known some so stupendously depraved, as to boast of having, what they called *cleverly flung their neighbor*, and appearing totally remorseless about it, because it was so general a practice. But will it be any consolation to a knave, to be turned into hell with a numerous company? Ponder upon this, ye abandoned flagitious deceivers, *who glory in your shame*, and whose *consciences are seared with a hot iron.*<sup>7</sup> Ponder upon it, I say; and determine, from this moment, never to cheat again. It is, in the final result, (and by this, the real value of every thing is to be essayed) the most unprofitable, gainless traffic in the world. Perhaps, this reflexion, since Plutus is the idol you adore, *while by unjust gain you increase your substance*, may arrest your further progress in iniquity. For be it known to all of you, who, in the

words of Isaiah, *look every one for his gain from this quarter*,<sup>8</sup> that you must refund every farthing of it, or abandon all hopes of happiness in a future world Every farthing. *For what is the hope of the hypocrite, says Job, though he hath gained, when God taketh away his soul?*<sup>9</sup> But will not the Almighty forgive me, you ask, upon my sincere repentance? The Almighty will undoubtedly forgive every sincere penitent, for himself *gives repentance, as well as the remission of sin*; but in your case there can be no sincere repentance without restitution. How can a man be said to repent of having defrauded his neighbor, without making him reparation for the fraud? It would be a mocking of God to pretend it: *and God will not be mocked*. A genuine repentance of the commission of any crime, necessarily implies a cordial desire that it never had been perpetrated; and the only solid evidence of the sincerity of such desire is the *undoing*, in reality, the injury committed as far as possibly we can. Hence, says the prophet Ezekeil, *if the wicked restore the pledge, and give again that he hath robbed; then he shall surely live*.<sup>10</sup> From which necessarily follows that without such reflection, he shall surely die. Accordingly we find, that when Zaccheus repented, he restored four-fold. He then became so honest, as to think, that those he had injured were entitled to interest for the detention of their money, as well as to the principal sum, out of which he had wronged them; and a very liberal interest he paid. And do you, who live upon fraud, expect to repent without any restitution? Depend upon it, you are as much imposed upon by the devil, as ever you imposed upon your neighbor; and whatever bargain you got out of him, satan, still more dexterous in deceit, will make a sure one of you. Restore therefore, restore your fraudfully-acquired gain; or, with the *gain of the whole world*, expect to *lose your souls*.<sup>11</sup> What a bargain, after all your boastings of your *cleaver knack* at decieving your honest, unmistrusting, confiding brother! What a tremendous bargain! Restore, I say, or in you will be awfully verified the denunciation of Jeremiah, *as the partridge setteth on eggs, and hatcheth them not, so he that getteth riches and not by right, shall leave them in the midst of his days; and at his end shall be a fool*.<sup>12</sup> Be therefore dissuaded from dying like a fool, which, in the language of holy writ, signifies a wicked man; and prevent so fatal an exit, from this world into eternity, by taking the advice of St. Paul, *let us walk honestly*.<sup>13</sup>

Upon so important a subject, I shall trouble the public, with another

paper; and if I could be instrumental in transforming one single cheating villain into an honest man, I should not think my labor lost, in writing *twenty*.

*American Museum*, September 1791, 233–34.

1. In their place came tricks and plots and snares, violence and cursed love of gain (Ovid, *Metamorphoses*, I:131). The full quotation is “In quorum subiere locum / fraudesque dolusque / insidiaeque et vis et amor / Secleratus habendi.”

2. II Kings 8:13.

3. *foro conscientiae*: at the tribunal of conscience.

4. Jonathan Wild was the notorious eighteenth-century London thief turned informer who grew rich by charging fees to restore the property stolen by his cohorts. Also Henry Fielding’s satirical 1743 novel, *Jonathan Wild the Great*.

5. Ezekial, 22:12.

6. A reference to Oliver Cromwell who, under the guise of religion, imposed a dictatorial rule on England during the Interregnum.

7. I Timothy 4:2.

8. Isaiah 56:11.

9. Job 27:8.

10. Ezekial 33:15.

11. Mark 8:36.

12. Jeremiah 17:11.

13. I Thessalonians 4:12.

## Essay on Fraud and Dishonesty

[October 1791]

Ultima caelestum terras Astraea reliquit.

OID.<sup>1</sup>

The deliberate defrauding our neighbor of his property, is doubtless one of the last stages of human depravity; and yet, alas! how general and widely-extended is this depravity! There are, indeed, a number among us, who, though scrupulous (I don’t mean a conscientious scrupulosity) about cheating in some particular ways, are truly chargeable with that detestable vice, in other respects. They will not cheat in weights and measures: they will not tell a direct lie to ensnare the buyer: they will trepan in a bargain: they will exaggerate the market price: they will conceal the secret defects of their wares and merchandises: they will recommend what they expose to sale, beyond the real merit of its quality: they will, in short, not *do as they would that others*

*should do unto them.* All this is knavery at the bottom, however glossed and paliated, to cheat the devil. But they really cheat themselves, as well as their neighbour; and satan will finally cheat them all. When such men deal honestly, as sometimes they do, it is from the very principle of knavery, in order to enable them the more successfully to defraud at another time. A truly honest man will be honest at all times, in everything, and to his own loss. King David has given us an excellent description of such a man's invariable and universal integrity: and he that answers not his description, be his pretensions what they will, or let him invent what excuses he can, to pacify the upbraidings of his conscience, is dishonest. It is a man, says that meritorious monarch, *that sweareth to his own hurt, and changeth not;*<sup>2</sup> the meaning is, that he is conscientiously just in all his dealings—faithful and fair with all with whom he transacts business—and though he makes a losing bargain, he will punctually perform his contract. But surely this is not the character of a knave, who, having promised his pork, or corn, or beef to his neighbor at a certain price, will sell it along the road (in his way to the previous purchaser) to any man that will give him a higher price for it. This is not the way to that *holy bill*, to which of those that travel thither, the psalmist has given us the above portrait. Will not those self deluded beings, against whom I am arguing, be convinced, that by their dishonest conduct, they destroy all private faith; and undermine the very foundations of the commonwealth? for how can mankind subsist as members of human society, for the formation of which the principal motive was the security of their property, when they are daily robbed of it, by such insidious and underhanded spoilers? Fraud! of all other sins one of the most daring defiances of conscience, and most hardened opposition to reason that can be imagined! A crime that admits of no extenuation in the mind of the criminal himself; and into which he can be led by no error or wrong judgment; but must commit it from deliberate pre-contrivance to cozen his neighbor; and depend entirely upon the facts remaining undiscovered. A crime for which he cannot plead a constitutional impulse, as some offenders do for some other crimes, there being no natural propensity to it; and as archbishop Tillotson<sup>3</sup> says, in speaking of profane swearers, that however others may attempt to paliate their sins, by alleging their innate disposition, *no man is born with a swearing constitution*, I presume that no man is born with a knavish one.

With respect to any public bodies, that may, thro' the infirmity of human nature, have accidentally lapsed into the crime in question, I will not be particular; because I remember to have heard a sermon against suicide, occasioned by a man's hanging himself, in which the preacher inferred from that fatal catastrophe, that it was *dangerous to meddle with edge tools*.

I cannot, however, dismiss this subject, without paying my respects to the memory of that venerable man, who, from his inviolable probity, obtained the appellation of *Aristides the just*.<sup>4</sup> The testimony, which the Athenians one day gave of his reputation for virtue, has survived the injury of time: nor can his name perish, while the works of [Arsonius] exist, who has given him the following beautiful and truly merited eulogy,

Nec fola antiquos ostentat Roma Catones;  
Aut unus tantum iusti spectator et aequi  
pollet Aristides, veteresque inlustrat Athenas.<sup>5</sup>

*American Museum*, October 1791.

1. *Ultima caelestrum terras Astraea reliquit*: [The maiden] Astraea, last of the immortals abandoned [the blood-soaked] earth" (Ovid, *Metamorphoses* I:150).

2. Psalms 15:4.

3. John Tillotson, archbishop of Canterbury.

4. Aristedes was the Athenian statesman and soldier of the fifth century, B.C., known for his honesty.

5. Not Rome alone vaunts her old-time Catos, nor does Aristides stand alone as the one and only critic of Justice and Right (Arsonius Magnus, "Mosella," Book 10: 386–88 in *Loeb Classical Edition*, tr. Hugh G. Evelyn White [1911], 1:254–55).

## On Dreams

[November 1791]

"I wake, emerging from a sea of dreams tumultuous."

YOUNG'S NIGHT THOUGHTS.<sup>1</sup>

I NEVER lay any stress upon dreams.<sup>2</sup> I believe they very seldom prove prophetic! They seem rather the random tossings of fancy from wave to wave, when the helm of reason is lost. Hence, I think it but an indifferent entertainment to hear people detail those nightly reveries; and suspect their minds are not sufficiently stored with waking thoughts,

to prevent the conversation from [flagging?]. Why else keep it up with uninteresting, unedifying narrations of their nocturnal phantoms? Last night, however, I had two dreams, which I cannot refrain from communicating; and I hope the public will pardon my obtruding upon them such fanciful visions, because they were dreams of a *public nature*.

Wearied in mind by revolving the obliquity of our national conduct; and tired in body with the labours of my farm, I fell asleep—a sleep profound from my fatigue—but disturb'd from my internal anxiety: such a sleep as *Milton* very properly calls *unquiet rest*.<sup>3</sup> I dreamt that both his most christian majesty and their high mightinesses the states general of the united netherlands had granted letters of marque and reprisal to seize as much American property upon the high seas, as would discharge the interest of the monies they had respectively lent to congress.<sup>4</sup> I further dreamt that I read in *Le courier de l'Europe*, that in pursuance of such letters, a number of American merchantmen had been brought into the ports of France and Holland, and had there, together with their cargoes, been sold at public auction: that those several powers had notified [ . . . ] their proceedings to congress; and had further informed that august body, that there remained in their hands, after discharging the interest due on their respective securities, a considerable balance in favour of America: that this balance awaited the orders of congress, as neither of those powers were pressing for the principal, considering the present situation of the united states; though the former having made the loan when it comported with the exigencies of the kingdom, would be glad to have the capital also, as soon as congress should be capacitated to pay it. That both his most christian majesty and the states general regretted this painful resource of self payment; and doubted not, that this step, though rigorous in appearance, yet dictated by necessity, would receive the most benign consideration by the united states of America, with whom they already desired to cultivate the strictest amity, to the remotest generations: but they must, at the same time, take the freedom to advertise those states, that they will think themselves obliged to re-adopt this disagreeable expedient, as often as the payment of such interest shall, in future, be unreasonably procrastinated.

It is impossible for me to convey an adequate idea of the anguish I felt on reading in my dream this paragraph in the *courier of Europe*. My tor-

ment was increased by further dreaming, that when the above intelligence reached America, it had so different an effect, from what, in a country professing private honesty and public virtue, I expected it would have had. For instead of every one's exerting every nerve, to prevent, for the future, the like captures and seizures, which nobody could criminate—and immediately [concerting?] measures to indemnify the merchants who had fallen victims to expiate the delinquency of the whole nation; I dreamt that our farmers coldly said, what have we to do with the merchants? The French and Dutch cannot send cruisers to take our lands for their demands upon congress. This so tortured me as though I had been bedridden by a night hag.<sup>5</sup> I groaned, I bawled, I struggled, I awoke, and glad was I to find it a dream. It was now about one o'clock. Dreamers will be particular. I was so agitated in mind, that I could not get another wink of sleep till half after three. My second dream was also disagreeable. I dreamt there were a great number of British emissaries, travelling under various pretences, from one end of the North American continent to the other. That they were acutally come for what Joseph only feigned, respecting his brothers, to *see the nakedness of the land*;<sup>6</sup> that they were in continual confabulation with *the tories*;<sup>7</sup> and endeavoured to disseminate discontent and discord through the united states: that they particularly laboured to disaffect our citizens against the payment of their taxes; and were *strenuous advocates for paper money*, to prevent the influx of foreigners, and to promote domestic dissension; that they were indefatigable in their pains, to prejudice us against congress, and insidiously harangued on the danger of entrusting that assembly with such powers as they knew to be indispensible requisite to render America respectful abroad, and to preserve with honour that independence, which she has with so much honour achieved; that they encouraged the tories still to hope for a time, when, from our internal want of sufficient vigour in the laws, and a due energy in the executive branches of our several constitutions, with the great insecurity of property, we shall long to return to the onions of Egypt; and that, in a word, those same emissaries left nothing unessayed that had a tendency so to trouble the water, as to give Great Britain a reasonable prospect of successfully fishing in it. I awoke; and glad was I again to find it *a dream*.

*American Museum*, November 1791.

1. Edward Young's, "Night Thoughts on Life, Death, and Immortality," Night 1.
2. WL had written in the past about dreams. See, for instance, WL to Henry Laurens, Sept. 17, 1778, 2:440.
3. John Milton's, *Paradise Lost*, Bk. 5, l. 11. The phrase begins, ". . . so much the more / His wonder was to find awak'nd *Eve* / With Tresses discompos'd, and glowing Cheek, / As through unquiet rest . . ." (ll. 8–11).
4. This essay may have been written in 1785–1786. By February 1786 it was painfully evident that the United States lacked the funds with which to pay the \$747,040 due in interest on foreign loans (*JCC*, 30:54–59). For a previous reference to the nonpayment of interest see "For Whom our Revolution?" [ca. 1784–1785].
5. night hag: a female demon who rides the night air, or a nightmare.
6. Genesis 42:9.
7. For another mention of Tories by WL see his essay "I Have Seen, and I Have Not Seen," [January 1791], appendix.

## APPENDIX II

# *Biographical Essays*

THE BIOGRAPHIES that follow are of selected persons who appear in one or more of the five volumes of *The Papers of William Livingston*. The volume or volumes in which each person appears are shown at the end of each biography, and the reader is urged to consult the separate volume indexes for additional information on specific individuals.

The biographies concentrate mainly on lesser-known individuals who either lived in New Jersey or who spent a significant portion of their private or professional lives there, and on members of the Livingston family. It does not include individuals with national reputations. As each biography was researched, it became apparent that some slight errors in identification had been made in previous volumes. In cases of discrepancies the information presented here is considered the most accurate by the editors at the time of publication.

Numerous primary and secondary sources were used to research these biographies. The major sources of information are indicated in parentheses at the end of each essay.

ABEEL, JAMES (1731–1825): Abeel was born on May 12, 1731, in Morristown, N.J. He married Gertrude Neilson. From June to December 1776 Abeel was a captain in Col. John Lasher's regiment of the New York militia. He then served as deputy quartermaster general and superintendent of stores and camp equipage for the Continental army at Morristown.

After the Revolution, Abeel found himself in financial straits. In December 1786 a court of oyer and terminer held in the county of Bergen indicted and convicted Abeel for fraud. Unable to pay the fine of £500, he fled to New York. WL petitioned New York governor George Clinton for Abeel's extradition. On Sept. 4, 1788, WL complied with the New Jersey Privy Council's advice to issue Abeel a pardon. Abeel died

in New Jersey on Apr. 25, 1825 (Heitman, *Historical Register; DAR; NJA* [Privy Council]; *Livingston Papers*, vol. 5).

ALEXANDER, JAMES (1691–1756): The Scottish-born Alexander was trained as an engineer. His support of the coup planned by the Old Pretender, Francis Edward James, led to his exile from Britain, along with eight hundred other Jacobites, after the failure of the 1715 rebellion. Alexander was sent to America by John, duke of Argyll, whose family were traditional patrons of the Alexanders. The young man's fortune in New York and New Jersey was guaranteed when he was named receiver general and collector of quit rents and surveyor general for the West New Jersey Proprietors. Robert Hunter [q.v.], governor of New Jersey and New York, also named Alexander deputy secretary of New York and recorder of Perth Amboy, where Alexander established his primary residence. These early marks of favor ensured Alexander's political future and he was later a member of both the New York and New Jersey councils, and attorney general of New Jersey.

Alexander further assured his financial success in 1720 when he married the wealthy widow Maria Sprat Provoost, one of the most successful merchants in New York and the only person in the city besides the governor who kept a coach. The Alexanders had four daughters and one son, William [q.v.], who later assumed the title of Lord Stirling.

James Alexander read law and in 1723 was appointed to the provincial bar of New Jersey. At his instigation in 1732 an opposition newspaper, the *New York Weekly Journal*, published by John Peter Zenger, was started in New York City to attack the inept governor William Cosby. In 1735 Cosby, irritated by the opposition's attacks, charged Zenger with seditious libel. At his August trial Zenger was defended by Alexander, with William Smith, Sr., and Andrew Hamilton, and his acquittal was secured.

In the 1740s Alexander moved from Perth Amboy to New York City, where he continued his law practice. He was assisted in this practice by a number of young law clerks, WL among them. WL, irritated by the tedious regime imposed on clerks, as well as the social pretentiousness of the Alexanders, published an anonymous attack on Mrs. Alexander. The discovery of his authorship brought his dismissal, and WL completed his legal apprenticeship in the law offices of William Smith, Sr. Alexander died in Albany on Apr. 1, 1756 (William Smith, *History of*

*the Late Province of New York* [1829]; James Alexander, *A Brief Narrative of the Case and Trial of John Peter Zenger*, ed., Stanley N. Katz [Cambridge, Mass., 1963]; Isaiah Thomas, *The History of Printing in America*, ed., Marcus A. McCorison [New York, 1810, 1970]; O'Callaghan, *New York Colonial Documents*, vols. 5 & 6; *Livingston Papers*, vol. 1).

ALEXANDER, SARAH LIVINGSTON, LADY STIRLING (1725–1804): WL's sister Sarah, born in Albany, was the ninth child of second manor lord Philip Livingston [q.v.]. In 1748 Sarah married William Alexander [q.v.], son of the prosperous New York and New Jersey attorney James Alexander [q.v.]. The couple lived with William's parents in New York City, where she gave birth to two daughters, Mary in 1749 and Catherine in 1755. In 1761, after her husband returned from England and proclaimed himself Lord Stirling, the couple moved to Basking Ridge, N. J., where the now Lady Stirling oversaw the construction of their new home, "The Buildings." Loyalist historian Thomas Jones reports that Lady Stirling and her husband built a house grand enough "to imitate the residence of an English nobleman."

During the war Lady Stirling, proficient in Dutch, assisted her brother, WL, in the translation of secret Dutch dispatches. As was true of many officers' wives, she stayed with her husband as much as possible, travelling with him to Valley Forge in May 1778 to celebrate the signing of the French Alliance with General and Mrs. Washington.

Following the Jan. 15, 1783, death of her husband, Lady Stirling appears to have moved to New York City to live with her daughter Lady Catherine. Kitty, as she was known, had married William Duer, a founder of the Bank of New York and, in 1789, assistant secretary of the treasury under Alexander Hamilton. Lady Stirling was a prominent hostess until her death in 1804, twenty-one years after the demise of her husband (Jones, *History of New York; Livingston Papers*, vols. 2–5).

ALEXANDER, WILLIAM, LORD STIRLING (1726–1783): William Alexander, born in New York City, inherited from his father James [q.v.], a particular aptitude for mathematics and science. In 1748 he married WL's sister Sarah. In 1756 William Alexander accompanied former Massachusetts governor and commander of American forces William Shirley [q.v.] to England to lay claim to the title of earl of Stirling, extinct since the death of the fifth earl. Alexander had served Shirley as

commissary, aide, and secretary, until Shirley was suspended as commander and succeeded by John Campbell, the earl of Loudon. On their 1757 arrival in London, Alexander defended Shirley from charges of misconduct and pursued his claim to the earldom of Stirling. Well before the House of Lords delivered its unfavorable 1762 verdict, Alexander returned to America and assumed the title of Lord Stirling.

In keeping with his new-found social position, Stirling and his wife, now termed Lady Stirling, began the construction of a country home in Basking Ridge, N. J., called "The Buildings" by local residents. There the couple and their two daughters expected to live a life of ease and elegance patterned on that of the British aristocracy.

Stirling's plan for a leisured life changed with the onset of colonial opposition to Great Britain. In 1775 he was named colonel of the first New Jersey regiment. His distinguished military career began in 1776 with the capture of the British transport *Blue Mountain Valley*. Stirling assisted George Washington in the futile defense of New York City, directed the building of forts Lee, Washington, and Stirling, and fought in the battle of Long Island. He participated in the 1777 battle of Brandywine and in the 1778 battle of Monmouth. His most daring exploit occurred in February 1780 when, hoping to launch a surprise attack on the British and their Loyalist allies, he led an expedition of men on sleighs and horses across the frozen bay from De Hart's Point, just east of Elizabethtown Point, to Staten Island. The British had been forewarned and the attack was largely unsuccessful. Stirling, who rose to the rank of major general, later served on the court of inquiry that voted to hang the British spy John André.

The monetary inflation that was caused by the war, and Stirling's extravagant life-style, led his last years to be filled with money concerns. He died in Albany on Jan. 15, 1783, still asking the New Jersey Legislature for the pay differential due him because of inflation. Much to Loyalist Thomas Jones' delight, the decline of the family's fortunes was reflected in the decay that befell "The Buildings," abandoned by the Alexanders following Stirling's death. As Jones notes, poultry "were perching and roosting" on Stirling's lavishly ornamented stagecoach, while the manor house itself "was tenanted by a farmer, and the hall and elegant drawing-room converted into granaries, were filled with corn and wheat," and "the stables and coach-house were going to ruin" (Jones, *History of New York*; Alan Valentine, *Lord Stirling* [New York, 1969]; *Livingston Papers*, vols. 1-5).

AUSTIN, DAVID (1760–1831): Austin was born in New Haven, Conn., the son of a wealthy merchant and customs collector. He attended Yale College, graduating in 1779. Austin then pursued theological studies in Bethlehem, Pa. He was ordained as a Presbyterian minister, and briefly preached in several Connecticut churches. Before accepting a pastorate, he decided to make the Grand Tour of Europe. Upon Austin's return in 1787 he was called to be pastor of the Elizabethtown Presbyterian Church. Austin married Lydia Lathrop, the daughter of a wealthy Norwich, Conn., merchant in 1788. They had six children.

In 1788 Austin purchased the Belcher mansion, the former residence of William Peartree Smith [q.v.], and moved to Elizabethtown, N. J. He was installed as pastor of the Elizabethtown Presbyterian Church on Sept. 9, 1788. Shortly thereafter WL's son, William, Jr. [q.v.], began boarding with the Austins, and commenced an affair with the Austins' household maid, Mary Lennington [q.v.].

In 1787 Austin began publication of a religious journal, *The Christian's, Scholar's and Farmer's Magazine*, and published *The American Preacher*, a four-volume set of sermons by outstanding ministers. In 1795 Austin was caught up in the millennial movement. He predicted the Second Coming of Christ would occur in May 1796, and he supported his predictions by writing *The Millennium* and *The Voice of God to the People of these United States*. When Christ failed to appear on the appointed day, Austin preached a sermon "The Lord Delayeth His Coming," and announced that God had called him to found a church of the millennium. No longer able to cope with his eccentricities, church elders Jonathan Dayton [q.v.], Aaron Ogden, and others, demanded Austin's dismissal in 1797.

Austin then returned to New Haven, Conn., which he had come to believe would be the site of the Jews' embarkation for the Holy Land. For this purpose he erected houses and a wharf for their use, but when his prediction of this event failed to materialize he was imprisoned for debts incurred in the project. In 1804 Austin returned to Elizabethtown and rented space in the Elizabethtown Methodist Church for millennial services. Failing to get support, Austin left and again returned to Connecticut. In 1815 he was named minister of the Bozrah (Conn.) Church. He preached there until his death in Norwich on Feb. 5, 1831 (Nicholas Murray, *Notes Historical and Biographical Concerning Elizabeth-Town* [reprinted from 1844 original edition, 1941]; Thayer, *As We Were; Livingston Papers*, vol. 5).

BARBER, FRANCIS (1751–1783): Barber was the rector of, and in 1769 principal of, the New Jersey Academy in Elizabethtown, where he taught both Alexander Hamilton and Aaron Burr. In addition to shaping the nation's future by educating two of its future leaders, Barber took an active military role in the Revolution and enjoyed a distinguished career.

Barber's parents, Patrick Barber and Jane Frasher, had immigrated to Princeton, N. J., around 1735 from County Longford, Ireland. Sometime after Francis's 1751 birth, the family moved to Montgomery in Orange County, N. Y., where the senior Barber became a judge of the court of common pleas. Francis, the youngest of four boys, was educated at Princeton and graduated in 1767. He married Mary Ogden, who lived only a few months after the marriage. In 1778, he married Mary's sister Anne, who gave birth to three children.

Barber was called into action in 1775 as the first lieutenant of the Elizabethtown first regiment. One of his earliest military exploits was to assist William Alexander, Lord Stirling [q.v.], in the 1776 capture of the British ship, *Blue Mountain Valley*. He was rewarded for his service on Feb. 9, 1776, by being appointed major of the third New Jersey regiment. In November of that same year Barber was promoted to lieutenant colonel and sent with a dispatch to Gen. Philip Schuyler at Ticonderoga, N. Y. Barber then marched with Schuyler's northern army from Ticonderoga to assist George Washington at the 1776–1777 battles of Trenton and Princeton. He later fought in battles at Germantown and Brandywine. On June 28, 1778, he fought at the battle of Monmouth, where he was wounded by a musket ball "which passed thro' the right of his body, but it is hoped will not prove mortal."

In 1779 Barber, who served as aide-de-camp to Washington, also fought with Gen. John Sullivan's western army with the rank of adjutant general. Sullivan's mission was to punish those Iroquois allied to the British for the outrages they had committed on the frontier the previous year. With Sullivan, Barber went from Easton to Wyoming Valley in northern Pennsylvania. He was wounded on Aug. 29, 1779, at Newtown (present-day Elmira, N. Y.).

In 1780 Barber was appointed deputy adjutant general under Gen. Nathanael Greene and fought at the battle of Springfield. The following year he was assigned to the first battalion of the Light Infantry and went to Virginia under the command of the general, marquis de Lafa-

vette, whom he served as aide-de-camp. Barber participated in the 1781 siege of Yorktown, where he was again wounded.

On Feb. 11, 1783, at New Windsor, N.Y., Barber again served as aide-de-camp to Washington. He went on an errand for the general and was killed by a falling tree ("The Order Book of Lt. Col. Francis Barber, May 26, 1779–Sept. 6, 1779," N.J.H.S. *Proceedings*, vols. 65–67; James C. Connolly, "Francis Barber of the Revolution," *Journal of the American Irish Historical Society*, vol. 26:228–33; Ebenezer Elmer, "An Elegy on Francis Barber, Esq., Lieutenant Colonel, Commandant of the Second New Jersey Regiment," 1783, 1917, *Hartman's Historical Series*, 24; Callahan J. McCarthy, "Lt. Col. Francis Barber, Elizabethtown Patriot and Hero," *Proceedings of the Union County Historical Society*, vol. 2, 1923–1924, 127–36; *Livingston Papers*, vols. 1–4).

BARTON, JOSEPH (b. ca. 1723): A New Jersey Loyalist who suffered personal and financial losses because of the war, Barton was born to a farming family in Sussex County. He was an agent for the East New Jersey Proprietors, and from 1775 to 1776 a member of the Provincial Assembly. He was the only assemblyman who refused to vote for the imprisonment of Loyalist governor William Franklin[q. v.]. Barton joined the British army in 1776 and was appointed by Gen. Sir William Howe to raise a battalion for the New Jersey Volunteers. He took command of the first battalion on Nov. 7, 1776, and was captured on Staten Island on Aug. 22, 1777. His New Jersey land was confiscated by the state, although some part of his property remained in the possession of his patriot son Henry, who served as an ensign in the first New Jersey Volunteers from 1780 to 1782, when he was promoted to lieutenant. The senior Barton, after filing a claim for £3,955.6. compensation with the British government, left the United States to settle in Digby, Nova Scotia. He received only £1,814 of his claim (E. Alfred Jones, *The Loyalists of New Jersey: Their Memorials, Petitions, Claims, Etc. from English Records*, Collections of the N.J. Historical Society, vol. 10 [Newark, 1927]; *Livingston Papers*, vol. 2).

BAYARD, WILLIAM (1729–1804): WL's cousin Bayard was born in New York City, the son of the city's mayor Stephen Bayard and WL's first cousin Alida Vetch. The head of the mercantile firm William Bayard & Co., Bayard acquired large landholdings in New York and New

Jersey. At the beginning of the revolutionary agitation, Bayard appeared to have had Whig sympathies. He was among the members of the Committee of Fifty, and in 1775 entertained the Massachusetts delegates to the Continental Congress. By the following year he had become a Loyalist.

In the spring of 1776, when Connecticut troops entered New York City, Bayard retired to his Orange County, N. Y., estate, where he was commissioned to raise a Loyalist brigade. He recruited 550 men for the Orange Rangers. His son John was commissioned lieutenant colonel and named commandant of the regiment, and his son Samuel Vetch was commissioned a major. In September 1776 he returned to New York City to serve in the British Refugee Department before sailing for England in 1778. In England he was granted an allowance of £200 per annum for the duration of the war. In August 1779 he returned to New York and was named British vendue master of the city. He was subsequently employed as prize agent for several captains of British men-of-war, and as an agent for provision contractors in England.

Bayard's lands in New York and New Jersey, including over 5,000 acres in Orange County, N.Y., and an estate at Hobock Ferry (Hoboken), N.J., were confiscated in 1783. He left for England with the British evacuation of New York in that year. He estimated his American losses at £65,274, for which he was awarded £18,457 by the British government. He retired to his English seat, Greenwich House in Southampton, where he died in 1804 (Sabine, *Loyalists of the American Revolution*; Jones, *History of New York*; Palmer, *Sketches of Loyalists*; *Livingston Papers*, vol. 5).

**BENEZET, ANTHONY (1713–1784):** Antislavery reformer Anthony Benezet was born in San Quentin, Picardy, France, the son of Huguenot parents. In 1731 his family moved to Philadelphia, Pa., where Benezet joined the Society of Friends, and where he went into the import business with his brother. In 1736 he married Joyce Marriott, the daughter of Samuel Marriott of Burlington, N.J. After a brief career as a manufacturer in Wilmington, Del., Benezet returned to Philadelphia to teach school. He began to write articles for the local newspapers and to issue pamphlets on the subject of slavery. In 1766 he retired to Burlington, N.J., but remained there only two years before returning to Philadelphia to continue his antislavery crusade and to become a leader

in the Philadelphia Quaker community. His numerous antislavery tracts include such noted works as *A Caution and Warning to Great-Britain and her Colonies, in a Short Representation of the Calamitous State of the Enslaved Negroes in the British Dominions* (1766), and *A Mite Cast into the Treasury: Or, Observations on Slave-Keeping* (1772). During the Revolution, Benezet remained a committed pacifist. He died on May 3, 1784 (*DAB*; *Livingston Papers*, vols. 2 & 3).

BOUDINOT, ELIAS (1740–1821): Born in Philadelphia on May 2, 1740, Boudinot devoted his life to the public service of New Jersey. Boudinot was raised in Princeton, N.J., where his father ran an inn and was postmaster. Too poor to attend the College of New Jersey (Princeton), Boudinot began the study of law with Richard Stockton. In 1760 he was admitted to the New Jersey bar, opening his law practice in Elizabethtown, where he became an active member of the Presbyterian church. On Apr. 21, 1762, he wed Hannah Stockton, the sister of Richard Stockton [q.v.].

A conservative Whig, Boudinot was drawn into the Revolution chiefly through his family connection with the Stocktons. He was a member of the Essex County Committee of Correspondence when it convened in Newark in June 1774. As a member of the New Jersey Provincial Congress in 1775, he was a strong supporter of the Continental Congress. On June 6, 1777, Boudinot was commissioned commissary-general of prisoners by Congress, a post that he resigned on May 11, 1778.

In November 1777 Boudinot was elected a delegate to Congress, attending until August 1778. He was returned to Congress in 1781. An active delegate, he served on more than thirty committees during this period. On Nov. 4, 1782, he was chosen president of Congress. During his presidency the January 1781 mutiny of the Pennsylvania troops over their length of enlistments was quelled. It was also during his presidency that Congress was forced to flee Philadelphia in the summer of 1783 because of another armed uprising by disgruntled American soldiers. Boudinot was a signatory to the Definitive Treaty of Peace with Great Britain.

In 1784 Boudinot returned to private law practice. He reentered public life under the new federal constitution, when he was elected as a Federalist to the U. S. House of Representatives after a hotly contested election. He served in Congress until 1795. In 1790 Boudinot was the

first counsellor to be named by the New Jersey Supreme Court. In 1793 he led the defense of Alexander Hamilton in an investigation of Hamilton's management of the federal treasury. He was appointed to succeed David Rittenhouse as director of the United States Mint in 1795. Under Boudinot's administration the mint was reorganized.

Boudinot retired from public life to Burlington, N.J., in 1805. A deeply religious man, in 1816 he became the first president of the American Bible Society. Boudinot died in Burlington on Oct. 24, 1821 (*DAB*; John E. Pomfret, *Colonial New Jersey: A History* [1973]; George Adams Boyd, *Elias Boudinot: Patriot and Statesman* [1952]; *Livingston Papers*, vols. 1, 2, 4, & 5).

**BOUDINOT, ELISHA (1749–1819):** The younger brother of Elias Boudinot [q.v.], was born on Jan. 2, 1749. Elisha Boudinot followed his brother into the legal profession. A resident of Newark, N.J., where he had his law practice, Boudinot was early involved in the revolutionary movement as the clerk for the Newark Committee of Correspondence in 1775. In the summer of 1776 he moved between New York and New Jersey to report on enemy troop movements for George Washington. Boudinot also organized the local artisans and put them to work producing leather for shoes for the Continental army. He served as clerk of the New Jersey Circuit Courts from Sept. 5, 1776, to October 1777, and again from 1780 to 1782. In December 1777 he served as clerk to the Privy Council. On Dec. 12, 1778, he was appointed commissary of prisoners for the state of New Jersey. After the Revolution, Boudinot returned to private law practice. He served as an associate justice of the state supreme court from 1798 to 1806. Boudinot married Catherine Smith, the daughter of William Peartree Smith [q.v.]. He died in 1819 (George Adams Boyd, *Elias Boudinot: Patriot and Statesman* [1952]; *Livingston Papers*, vols. 1–3).

**BRACKENRIDGE, HUGH HENRY (1748–1816):** Born near Cambletown, Scotland, Brackenridge moved with his family to York County, Pa., when he was five. In 1768 he entered the College of New Jersey (later Princeton). In 1771 he collaborated with classmate Philip Freneau [q.v.] to compose the patriotic commencement poem, "The Rising Glory of America." He earned a master's degree in divinity in 1774 and then assumed charge of an academy on Maryland's eastern shore.

An ardent Whig, Brackenridge sought to further the American cause with his poetry, one of his first patriotic poems being the 1776 “The Battle of Bunker’s Hill.” The poem concludes with a dialogue reflecting the Americans’ conviction that they were the true custodians of British virtue. Hence, Brackenridge has General Howe acknowledge that

. . . The vanquished foe  
 in feats of prowess shew their ancestry,  
 And speak their birth legitimate, —  
 The sons of Britons, with the genuine flame  
 Of British heat and valor in their veins.

Brackenridge also furthered the war effort by enlisting in 1777 as a Continental army chaplain. That same year his poem “The Death of General Montgomery” was published. In 1778 he published “Six Political Discourses Founded on the Scripture,” and in 1779 became the editor of the patriotic *United States Magazine*.

Retiring from the ministry in 1780, Brackenridge studied law. In 1781 he moved to Pittsburgh, Pa., where in 1786 he established Pittsburgh’s first newspaper, the *Pittsburgh Gazette*. He later served as assemblyman in Pennsylvania and then he was appointed a Pennsylvania Supreme Court justice. Brackenridge was an ardent Federalist and a supporter of Alexander Hamilton’s policies. Hamilton returned the favor in 1794 when he secured Brackenridge’s exoneration after the latter was accused of disloyalty during the Whiskey Rebellion. Brackenridge continued his literary output until his death in 1816 (*DAB*; C.T. Heartman, *Bibliography of the Writings of Hugh Henry Brackenridge* [1917]; Moses Coit Tyler, ed., *A Literary History of the American Revolution* [1957]; Daniel Marder, ed., *A Hugh Henry Brackenridge Reader* [1970]; *Livingston Papers*, vols. 2 & 3).

**BRANT, JOSEPH (1742–1807):** A Mohawk whose ancestral home was in the Mohawk Valley, Brant was born at the site of present-day Cleveland, Ohio, where his family had travelled in search of game. Shortly after Joseph’s birth, his family returned to their tribal territory. The young Brant, whose Iroquois name was Thayendanegea, fought for Britain’s American colonies in 1758 during the French and Indian War. At that time, Brant, along with four hundred other Iroquois, served under the command of his patron, Sir William Johnson, during an unsuccessful attempt to invade Canada.

In 1761 Brant enrolled in the Rev. Eleazar Wheelock's Indian school at Lebanon, Conn. A devout and conscientious student, Brant later translated the *Book of Common Prayer* into Mohawk. In 1763 he left Wheelock's school to assist in the suppression of Pontiac's Rebellion.

Like the Johnson family, Brant was a Loyalist and when the Revolution broke out he worked to get the Six Nations to support the British. He was commissioned captain in the British army and travelled to England. He returned to America to command a contingent of those Iroquois who chose to fight for the British. Brant terrorized frontier settlements in Pennsylvania, New York, and New Jersey.

The British during the treaty negotiations that ended the American Revolution, made no provision for their Indian allies, who were stripped of most of their territory by the Americans. Brant persuaded the English to grant the Mohawks land in Canada near present-day Brantford, Ontario, and in 1785 secured monetary compensation for the Iroquois' wartime losses. Brant died in 1807, fighting the efforts of land speculators to seize what was left of Mohawk land (Isabel Thompson Kelsay, *Joseph Brant, 1743--1807, Man of Two Worlds* [1984]; *Livingston Papers*, vols. 3-4).

**BREARLEY (BREARLY), DAVID (1745-1790):** Brearley was born on June 11, 1745, in Maidenhead (Lawrenceville), N. J., the son of David Brearley, Sr. Brearley studied law and commenced a law practice at Allentown, Monmouth County. He married Elizabeth Mullen, and after her death, Elizabeth Higbee. He was appointed Monmouth County surrogate in 1768 and 1771. At the outbreak of the Revolution, Brearley was arrested by the British on grounds of treason but was freed by a mob sympathetic to the patriot movement. He joined the New Jersey militia and was commissioned a captain of the second regiment of the Monmouth militia on Oct. 28, 1775. On Nov. 28, 1776, Brearley was commissioned a lieutenant colonel of the fourth battalion, second establishment, of the Continental army, while maintaining the rank of colonel in the state militia. On Jan. 1, 1777, he was promoted to first lieutenant colonel in the Continental army. He resigned his commission on Aug. 4, 1779.

Brearley was appointed chief justice of the New Jersey Supreme Court on June 10, 1779, serving until 1789. As chief justice, Brearley gave the opinion in the landmark case *Holmes v. Walton* (1780), in which he asserted the principle of judicial power over unconstitutional legisla-

tion. In 1787 he was a delegate to the Philadelphia Constitutional Convention, and in 1789 he was a presidential elector. In that year he was among George Washington's first appointments as a United States district judge. Brearley served in this capacity until his death in Trenton on Aug. 16, 1790 (*DAB*; *Livingston Papers*, vols. 1–5).

BURNET (BARNET), WILLIAM, SR. (1730–1791): William Burnet was born at Lyon's Farm, between Newark and Elizabethtown, on Dec. 2, 1730 (O.S.). His father was Dr. Ichabod Burnet, who had settled in Elizabethtown about 1700. William was educated in the College of New Jersey (later Princeton), at that time located at Newark, during Aaron Burr, Sr.'s, tenure as its president. Burnet graduated in 1749 and married Mary Camp. Their eleven children included William Burnet, Jr. [q.v.]. A respected physician, Burnet was one of the founders of the New Jersey Medical Society and an elder in the Presbyterian Church in Elizabethtown.

In 1775 Burnet was appointed deputy chairman of the Committee of Safety in Newark and chairman of the Essex County Committee of Safety. In March 1776, at the request of William Alexander [q.v.], Lord Stirling, Burnet organized and sent several militia companies to assist in the futile defense of New York. He then helped to secure the person of Gov. William Franklin [q.v.], who had been arrested by order of the New Jersey Legislature. In September 1776 the legislature appointed Burnet presiding judge of the Essex County courts. In 1778 his favorable trial decisions on behalf of several Loyalist friends and neighbors drew criticism from WL. In 1780 he served as a delegate to the Continental Congress.

Burnet also contributed his medical talents to the revolutionary cause and early in the war established a military hospital in Newark. From 1776 to 1783 he served as surgeon general of the eastern district of the United States. In October 1780 he was appointed by Congress as the regular hospital physician and surgeon of the United States. In 1787 he was elected president of the New Jersey Medical Society. Burnet, a member of the Society of the Cincinnati, died in 1791 (Joseph P. Bradley, *Biographical Sketch of William Burnet, M.D.* [n.p.], Historical Society of Pennsylvania, [n.d.]; *Livingston Papers*, vols. 1–5).

BURNET, WILLIAM, JR. (d. 1807). Burnet was born in Newark, N. J., the son of William Burnet, Sr. [q.v.] and Mary Camp. He followed his

father into the medical profession. Burnet settled in Second River, Essex County, where he established his practice.

Burnet also followed his father into the revolutionary movement. On Dec. 8, 1775, Burnet was appointed surgeon of William Alexander [q.v.], Lord Stirling's first New Jersey regiment of the Continental army. On Nov. 28, 1776, he was appointed surgeon of the first battalion of the second establishment of the Continental army. From 1780 to 1781 Burnet served as surgeon of the state militia and state troops. During the Revolution he also served under his father as a surgeon at the general hospital of the Continental army. After the Revolution, Burnet returned to Newark and continued his medical practice until his death there on Feb. 12, 1807 (*Livingston Papers*, vol. 1; Stryker, *Official Register*).

**BUTLER, JOHN (1728–1796):** Born in Connecticut, Butler moved with his family to the Mohawk Valley in 1742. He served as an interpreter under Sir William Johnson during the French and Indian War. Like the Johnsons, Butler was committed to the British cause and early in the Revolution, as deputy superintendent of Indian affairs, persuaded many Iroquois to ally with the British. In 1777 Butler with a contingent of Iroquois marched down the Mohawk Valley in an effort to secure military support from Loyalists in Tryon County (N. Y.). He then recruited a battalion of rangers among the Iroquois and led them on a series of devastating raids in the Wyoming Valley in Pennsylvania. In 1782 Butler's Rangers fought the punitive American forces under the command of Maj. Gen. John Sullivan, but were defeated in the battle of Newtown (present-day Elmira, N. Y.). Butler, whose land was confiscated by New York State, received a grant of land in Canada and a pension from the British. He served as commissioner of Indian affairs for Great Britain until his death in 1796 (Palmer, *Sketches of Loyalists*; Isabel Thompson Kelsay, *Joseph Brant, 1743–1807, Man of Two Worlds* [1984]; *Livingston Papers*, vols. 1, 3, & 5).

**CALDWELL, HANNAH OGDEN (1738–1780):** Born to John and Hannah Sayre Ogden, Hannah Ogden married James Caldwell [q.v.] on Mar. 14, 1763, minister of the Presbyterian Church in Elizabethtown. She bore him nine children. At the outbreak of hostilities, Hannah Caldwell moved to Connecticut Farms (present-day Union) with her family. On June 6, 1780, five thousand men from the British Coldstream Guards

landed in the marsh on the Elizabethtown side of the Arthur Kill, en route to Morristown, where George Washington's army was encamped. The British approach caused the Reverend Caldwell to flee to safety after vainly attempting to persuade his wife to accompany him. Mrs. Caldwell hid the family's valuables and fed the soldiers when they came to the door. On June 7 the British force was met at Springfield, where they were halted by Continental forces and Patriot militiamen under the command of Col. Elias Dayton [q.v.]. After a skirmish, Dayton entrenched his troops at Springfield and the British troops withdrew to Connecticut Farms, where they plundered and then burned several buildings.

As the British pillaged, Mrs. Caldwell remained in the parsonage, surrounded by her children. On hearing the noises outside, she went to the door. A soldier fired, and she died instantly. Almost a century later, a writer added the gruesome detail that the soldiers tore off her clothes and threw her body on the roadside while the house was burning. The flames from the Caldwell house and other buildings, including the Presbyterian Church, were apparently seen at Liberty Hall, the governor's residence (Mercy Otis Warren, *History of the rise, progress, and termination of the American Revolution* [1805, 1970]; *Caldwell [N.J.] Progress*, Dec. 20, 1912; Oliver B. Bunce, *The Romance of the Revolution* [1854]; *Livingston Papers*, vol. 3).

CALDWELL, JAMES (1734–1781): James Caldwell was born in Virginia. He graduated from the College of New Jersey (later Princeton) in 1759, and was ordained by the New Jersey Presbytery in 1761. He was pastor of the First Presbyterian Church in Elizabethtown, and during the war his extreme militancy against the British won him the sobriquet of the "Soldier Parson." He was chaplain of the third battalion of the first establishment in 1776, and that spring marched with the New Jersey brigade as chaplain during the siege of Montreal. He was later deputy quartermaster and assistant commissary general of the Continental army. The Elizabethtown Presbyterian Church was notorious for its prominent Whig membership and included among its parishioners such prominent Whigs as WL, Elias Boudinot, Abraham Clark, Robert Ogden, Elias Dayton, Francis Barber [qq.v.], Stephen Crane, and Oliver Spencer. The church building served as a meeting place for the Continental army and was used as a hospital.

Caldwell's wife was Hannah Ogden [q.v.], whom he married in 1763.

In 1779, fearing the safety of his family, he moved them from Elizabethtown to Connecticut Farms, but Mrs. Caldwell was killed by the British during the June 1780 battle of Springfield. In addition to burning Caldwell's house, the British fired the Presbyterian Church as they retreated to Staten Island.

On Nov. 24, 1781, Reverend Caldwell went to Elizabethport to meet Beulah Murray, who journeyed from New York under a flag of truce. He took her to a carriage and returned to the boat for a bundle. He was challenged on the shore by an American sentinel about the contents of the bundle. The sentry fired at Caldwell as he stepped forward and Caldwell died instantly. The soldier, James Morgan, may have been a Loyalist who was bribed by the British. Morgan was seized and tried in a civil court before Chief Justice John Cleves Symmes, who later married WL's daughter Susannah [q.v.]. Found guilty of murder, Morgan was hanged (Oliver B. Bunce, *The Romance of the Revolution* [1854]; Larry R. Gerlach, *Prologue to Independence* [1976]; *Livingston Papers*, vols. 2–4).

CAPELLEN TOT DEN POL, JOAN DERK, BARON VAN DER (1741–1784): Netherlands aristocrat Joan Derk van der Capellen was born in the province of Gelderland. When he came of age, van der Capellen was refused the seat he claimed as a member of the nobility in the Gelderland assembly, or States. He purchased an estate in the neighboring province of Overijssel, from which he took his title Baron tot den Pol, and was admitted to the States of Overijssel. Proud of his nobility, conservative in thinking, and passionate in temperament, van der Capellen soon came to be a political leader of the Patriot party, a defender of the peasantry, and a leader of the Dutch abolitionist movement.

Van der Capellen first came to the attention of Americans in December 1775. At that time he publicly objected before the States of Overijssel to Britain's futile request that the Holland-based Scots Brigade be returned to England for active service. His speech, which was published throughout Europe and America, eventually resulted in his expulsion from the States. As a result of letters from WL, van der Capellen struck up a vigorous correspondence with American leaders of the rebellion. The publication of this correspondence, including that with WL, was instrumental in drawing Dutch public opinion to the American cause. In 1779 van der Capellen proposed that an American

minister be sent to the Hague. In that year he placed 10 thousand guilders of his own funds in an American loan, which he followed in 1782 with another 16 thousand. These personal loans preceded the loan negotiated by John Adams from Dutch bankers of 5 million guilders (about \$2 million).

Van der Capellen hoped that he might be given the position of American envoy in the Netherlands by Congress, but Congress realized that his radical activities made him an outcast with the Dutch government. As a leader of the Patriot movement, he antagonized both the ruling oligarchy and the hereditary stadholder of the House of Orange. Van der Capellen died in Zwolle, the capital of Overijssel, on June 6, 1784. As a lingering symbol of the Patriot movement, during the violent Orangist reaction against the Patriot party in 1787, van der Capellen's grave was desecrated. A year later, in August 1788, his entire tomb was blown up (Jan W. Schulte Nordholt, *The Dutch Republic and American Independence* [1979]; *Livingston Papers*, vols. 2–5).

CHANDLER, THOMAS BRADBURY (1725–1790): Chandler, the Anglican minister of St. John's Church, Elizabethtown, long advocated the appointment of a bishop in America. Chandler's stand outraged American Whigs such as WL, who were intent on challenging British authority. Chandler, born in Woodstock, Conn., graduated from Yale in 1745 and was ordained in England in 1751. As revolutionary fervor mounted, Chandler consistently opposed separation from Great Britain with such anti-Whig pamphlets as, "What Think Ye of Congress Now?" and "A Friendly Address to all Reasonable Americans."

Sensing revolution was near, Chandler fled to England in 1775 and a year later, he and other Loyalists petitioned the king for 100,000 acres of land in Canada to serve as a refuge for Americans who opposed the war. Chandler's request was ignored but he was named first bishop of Nova Scotia, a post he declined because of failing health. In 1785, suffering from cancer, he returned to his home in Elizabethtown and remained there until his death in 1790 (Sabine, *Loyalists of the American Revolution*; Larry R. Gerlach, *Prologue to Independence* [1976]; *Livingston Papers*, vol. 4).

CHETWOOD, JOHN (1736–1807): Chetwood was born in Elizabethtown, N.J. Trained as a lawyer, he commenced his practice in Eliza-

bethtown. He was appointed a judge of the Court of Oyer and Terminer for Essex County. He married Mary Emott.

Chetwood was a member of the Elizabethtown Committee of Correspondence in November 1774 and also a member of the New Jersey Provincial Congress until August 1775. After the Revolution, Chetwood was an outspoken advocate of the Constitution and a member of New Jersey's 1787 Ratification Convention. Chetwood was appointed an associate justice of the New Jersey Supreme Court and a member of the New Jersey Privy Council in 1788. He resigned as justice of the Supreme Court on Feb. 20, 1795, but was reappointed three days later. He resigned again on Nov. 8, 1797, because according to family traditions Chetwood's Quaker beliefs prevented him from condemning a man to death. Chetwood died on Feb. 20, 1807 (Thayer, *As We Were; Livingston papers*, vols. 1 & 5).

CLARK, ABRAHAM (1726–1794): A man of “middling” origins, Clark was born near Elizabethtown, N. J., to Thomas and Hannah Winsus Clark. Abraham was trained as an attorney, but never practiced. He married Sarah Hatfield, by whom he had ten children.

Clark, a farmer like his father, began his public career as sheriff of Essex County. He was a member of the New Jersey Provincial Congress from 1775 to 1776 and was a member of the Continental Congress from 1776 to 1778. Clark served in the state assembly in 1776 and 1783–1785, was on the legislative council in 1778, and was again a representative to Congress from 1779 to 1783 and 1787 to 1789.

A champion of the common man, Clark opposed any political system that would exclude members of the lower class from office. He also strenuously opposed the continued rule of the old provincial elite. Clark's antielitism and his sympathy for the lower orders of society led him into opposition to WL. As governor, WL was against many popular measures favored by Clark, such as the issuance of paper money to relieve debtors. Clark's stand led many members of the New Jersey Legislature, elected by the state's numerous indebted farmers, to support Clark's bid for the governorship in 1786. WL retained office but only after a significant challenge by Clark, who garnered eight assembly votes.

The plight of New Jersey's debtors after the war caused Clark to favor a stronger federal government than was possible under the Articles of Confederation. He believed that without a strong federal government, larger and richer states would exploit small states such as New Jersey.

To protest such exploitation, Clark, on Aug. 20, 1783, introduced a measure in the New Jersey Assembly to stop the state's payment of its assigned congressional tax quota.

Clark attended the 1786 Annapolis Convention. Although he was asked to serve in the Philadelphia Convention, he declined because Congress was meeting at the same time in New York. In 1789 Clark and Jonathan Dayton [q.v.] ran unsuccessfully for Congress against members of the West Jersey Junto. He was elected United States representative in 1791 and served until his 1794 death in Rahway (Ruth Bogin, *Abraham Clark and the Quest for Equality in the Revolutionary Era* [1982]; *Livingston Papers*, vols. 1–5).

CLARKSON, DAVID (1726–1782): Born on June 3, 1726, the son of merchant David Clarkson and Ann Margaret Freeman, Clarkson when of age entered his father's mercantile business. He also acquired considerable landholdings upon the death of his brother Mathew in 1739. In 1749 he married Elizabeth French, sister to WL's wife Susannah. Prior to 1773, when Clarkson moved his family to Flatbush, Long Island, they lived in New York City, where from 1771 to 1777 Clarkson served as a Trinity Church vestryman.

In 1775 Clarkson was a member of New York's Provincial Congress. The following year his home was destroyed during the British occupation of Long Island and he moved with his family from Flatbush to New Brunswick, N. J. He remained in New Brunswick until the spring of 1777, when he returned to Long Island. Despite the fact that his sons David and Matthew were fighting for the Continental army, Clarkson renounced the Whig cause. He died in New York City on Nov. 16, 1782 (Jones, *History of New York*; Cuyler Reynolds, ed., *Genealogical and Family History of Southern New York* [1914], 1025; *Livingston Papers*, vols. 1, 3–5).

COLLINS, ISAAC (1746–1817): Born in Delaware to a Quaker family, Collins served his apprenticeship to the printers James Adams of Wilmington, Del., and William Rind of Williamsburg, Va. On completion of his training, Collins found employment as a printer in Philadelphia and was the partner of Joseph Crukshank. In 1770 Collins opened his own print shop in Burlington, N. J., and then succeeded James Parker as the state's official printer.

In 1777, at the urging of WL, Collins began a weekly newspaper, the

*New Jersey Gazette*. The paper served as the primary vehicle for WL's Whig propaganda, leading to charges in the Quaker community that Collins, although a Quaker, was taking an active part in the war by permitting the use of his newspaper to further the American cause. Collins also drew WL's wrath on himself by permitting politicians to use the *Gazette* for antiadministration attacks.

In addition to publishing the *Gazette*, Collins printed a quarto edition of the Bible and an edition of the New Testament. He moved to New York in 1795 and published several books there before his 1806 retirement. He died in Burlington in 1817 (Richard F. Hixson, *Isaac Collins, A Quaker Printer in 18th Century America* [1969]; Isaiah Thomas, *The History of Printing in America* [1810, 1970]; *Livingston Papers*, vols. 1–5).

COX (COXE), JOHN (1732–1793): Cox, born in Philadelphia in September 1732, became a merchant in that city with large landholdings that included iron mills in New Jersey. Cox was first married to Sarah Edgil, and then after her death to Esther Bowes.

Cox joined the protest against the 1765 Stamp Act and was an early member of the Philadelphia Sons of Liberty. In 1769 he was a member of a committee of Philadelphia merchants that protested British taxation. On May 20, 1774, he was appointed to the Philadelphia Committee of Correspondence. Poor health forced his removal to the outskirts of Trenton, N. J. On Feb. 8, 1775, he was appointed a justice of the peace for Burlington and Gloucester counties.

At the outbreak of the Revolution, Cox was a lieutenant of a Pennsylvania militia unit known as the Associators of the City and Liberties. He served with the Associators at the battle of Trenton in December 1776, and at the battle of Princeton in January 1777. Cox thereafter was appointed a lieutenant colonel in the Continental army. He served as assistant quartermaster general under Maj. Gen. Nathanael Greene from 1778 to 1780. Cox was elected a judge of Burlington County on Sept. 11, 1776.

Cox served as a member of the New Jersey Privy Council from 1778 to 1783. He was vice-president of the council from 1781 to 1783. In 1793 he returned to Philadelphia, where he died on Apr. 28, 1793 (*PMBH*; *Livingston Papers*, vol. 1).

DAYTON, ELIAS (1737–1807): Dayton was born in Elizabethtown, N.J., on May 1, 1737, the son of Jonathan Dayton, a tailor. Dayton was

apprenticed as a mechanic, but with the outbreak of the 1756 French and Indian War, he joined the militia. On March 19, 1756, Dayton was commissioned a militia lieutenant. He was promoted to captain on Mar. 19, 1760. During the war Dayton served in the Jersey Blues under Gen. James Wolfe at Quebec in 1759, and in 1763 fought against Pontiac's Indian uprising near Detroit. Upon his return to Elizabethtown, he opened a general store and was elected a town alderman. Dayton married Hannah Rolph in Elizabethtown. Among their children was Jonathan Dayton [q.v.].

An ardent revolutionary, Dayton served as a member of the Elizabethtown Committee of Safety, and on Oct. 26, 1775, became a muster-master for Essex County. On Jan. 10, 1776, his military experience in the French and Indian War earned Dayton a commission as colonel of the third battalion of the New Jersey line of the Continental army. On the 23 of that month, Dayton led a contingent of Elizabethtown militia under the command of William Alexander [q.v.], Lord Stirling, in the capture of the British supply ship *Blue Mountain Valley*. The following May Dayton's Continental regiment was at Albany, N. Y., where it built Fort Schuyler and Fort Dayton (at Herkimer) to ward off Iroquois raids. Dayton's men returned to New Jersey in March 1777, and he subsequently served at the battles of Bound Brook, N.J., and at Brandywine, Pa., in April and September of 1777 respectively.

After spending the winter of 1777–1778 with Washington's troops at Valley Forge, Dayton fought at the battle of Monmouth in June 1778. On Dec. 12, 1778, he was elected to the Continental Congress, but declined in May 1779. In the June 1780 battle of Springfield, Dayton was instrumental in halting a planned British attack against the Continental army at Morristown. The following January he quelled a mutiny in the New Jersey line and that summer led the New Jersey troops in the siege at Yorktown. Dayton was promoted to brigadier general of the New Jersey line on Jan. 8, 1783.

After the Revolution Dayton returned to Elizabethtown and operated an extensive wholesale and retail business under the name of E. Dayton and Son. In 1787 he was elected a delegate to the Continental Congress, serving until 1788. Thereafter his public offices multiplied. Dayton was named recorder of Elizabethtown in 1789, served in the state assembly in 1791–1792 and 1794–1796, and was mayor of Elizabethtown from 1796 until his death in 1805. Dayton also continued to hold militia commissions and was promoted to the rank of

major general of the second division of the New Jersey militia on June 5, 1793. As a result of his numerous military commissions, Dayton served as the first president of the New Jersey Society of the Cincinnati. Dayton died in Elizabethtown on Oct. 22, 1807 (*Biography of Congress; Thayer, As We Were; Livingston Papers*, vols. 1–5).

DAYTON, JONATHAN (1760–1824); Dayton was born on Oct. 16, 1760, in Elizabethtown, N.J., the son of Elias Dayton [q.v.] and Hannah Rolph. Dayton attended the College of New Jersey (Princeton), graduating in 1776, and then commenced the study of law. He married Susanna Williamson.

With the outbreak of the Revolution, Dayton followed his father into the patriot movement. He was commissioned an ensign of the third battalion of the first establishment of the Continental army on Feb. 7, 1776. He became paymaster of the battalion on August 26. He was promoted to first lieutenant on Jan. 1, 1777. Dayton served as lieutenant and paymaster of the third regiment until February 1779. On April 7 of that year he was commissioned a captain and lieutenant, and in May he was commissioned a major and made aide-de-camp to Maj. Gen. John Sullivan. He was promoted to captain of the third New Jersey regiment on Mar. 30, 1780. On October 5, Dayton was taken prisoner at Elizabethtown but was quickly exchanged. He was transferred to the second New Jersey regiment on Jan. 1, 1781. In April 1783 Dayton was retained in the consolidated New Jersey regiment, in which he served until his discharge on Nov. 3, 1783.

After the Revolution, Dayton returned to Elizabethtown and commenced legal practice. In 1786 he was elected to the New Jersey General Assembly, winning reelection in 1787. That year, at the age of twenty-six, Dayton was elected a delegate to the Constitutional Convention, at which he was the youngest member. He was elected to the Continental Congress to fill the seat declined by William Paterson [q.v.] in November 1787, and was reelected in 1788. He served to March 1789. Dayton was defeated for election to the First Congress in 1789 when he was opposed by the WL-backed West Jersey Junto. He was elected to the N.J. General Assembly that year and served as speaker of the assembly in 1790. In that year he was also made a member of the Privy Council.

In 1791 Dayton won election to the United States House of Repre-

sentatives. A staunch Federalist, he served in the House until March 1799, and was speaker after 1794. In 1798 he won election to the United States Senate. An investigation in 1800 revealed Dayton had failed to settle his congressional accounts, and had kept \$18,000 for personal use. Despite the resulting scandal he was reelected and served in the Senate until March 1805. In 1807 Dayton was arrested for his financial connections with Aaron Burr's western expedition on grounds the expedition was a conspiracy aimed at overthrowing the government. Dayton was subsequently released and never brought to trial due to lack of evidence. Dayton died in Elizabethtown on Oct. 9, 1824 (Mary Jo Kline and Joanne Wood Ryan, eds., *Political Correspondence and Public Papers of Aaron Burr*, 2 vols. [Princeton, 1983]; *Biography of Congress*; Thayer, *As We Were*; DAB; *Livingston Papers*, vol. 5).

DEARE, JONATHAN (ca. 1739–1796): Deare, born in England, immigrated to America and settled in Perth Amboy, N.J., where he practiced law. Deare served as clerk of the New Jersey Court of Chancery in 1762. He also served as clerk of the New Jersey Assembly from 1765 to 1768, and in 1775. Deare married Frances Phillips of Maidenhead (Lawrenceville) on Sept. 9, 1775.

Deare, a patriot, was designated a member of the Perth Amboy Committee of Correspondence, on Apr. 28, 1775, and was then elected to the New Jersey Provincial Congress, where he served as deputy. He was also commissioned a first major of the Middlesex militia. He was promoted to the rank of lieutenant colonel on July 25, 1776, holding this commission until his resignation on Mar. 31, 1778. On June 17, 1776, Deare and Nathaniel Heard presented the terms on which parole would be granted to Loyalist New Jersey governor William Franklin [q.v.], who had been arrested at the order of the Provincial Congress. Deare was also appointed clerk of the peace and pleas for Middlesex County on Sept. 19, 1776, served as clerk of the New Jersey General Assembly from 1776 to 1777, and as Middlesex County clerk from 1777 to 1779. Deare was a member of the New Jersey Legislative Council from 1777 to 1779. On Dec. 12, 1778, Deare was named collector of customs for the Eastern District of New Jersey.

Prior to the end of the Revolution, Deare moved to New Brunswick. After the war Deare held the posts of surrogate for East Jersey and clerk for Middlesex County, serving in these capacities until his death. In

1788 he was elected sheriff of Middlesex County. Deare died in Middlesex County in 1796 (Stryker, *Official Register*; *NJA* [Privy Council]; *Eastern NJ Proprietors*; *Livingston Papers*, vols. 1, 3 & 5).

DENNIS, BENJAMIN (1740–1779): Dennis was a captain in the Monmouth County militia, who, on occasion, indulged in privateering. In September 1778 Dennis captured goods from a British vessel. The Pine Robbers, outlaws who took advantage of the near anarchy brought on by the war, tried to steal the prize goods. Dennis learned that in his absence the robbers invaded his home and tried unsuccessfully to hang his wife.

Dennis moved his family to the relative safety of Shrewsbury and planned the capture of the robbers. He was assisted by a renegade robber named Smith, who told Dennis when the Pine Robbers next planned an attack. Dennis placed militia men around his home and when the attack occurred killed Jacob Fagan [q.v.], the most notorious of the outlaws. Dennis himself was murdered by another robber, Lewis Fenton, in July 1779 (*History of Monmouth Co., N.J., 1663–1920*, vol. 1; *Livingston Papers*, vols. 1–3).

DICKINSON, PHILEMON (1739–1809): Dickinson was born at Crosiadore, near Trappe, in Talbot County, Md., on Apr. 5, 1739, the brother of John Dickinson. He moved with his parents to Dover, Del., in 1740, where he was educated by a private tutor. Dickinson then attended the College of Philadelphia (University of Pennsylvania), from which he graduated in 1757. He returned to Delaware to oversee his father's estates until 1760, when he returned to Philadelphia to study law. He was admitted to the Pennsylvania bar, but never practiced. Dickinson married Mary Cadwallader in Philadelphia.

In 1767 Dickinson moved to Trenton, N.J. He was a member of the New Jersey Provincial Congress in 1776. He was commissioned a brigadier general of the New Jersey militia on Oct. 19, 1775. He resigned this commission on Feb. 15, 1777, and was promoted to major general of the militia on June 6, 1777, serving in this capacity until the end of the war. In 1780 Dickinson led his troops in the battle of Springfield and later in that year led the militia in the destruction of British fortifications around Elizabethtown. Dickinson ran against and was defeated by WL for the governorship of New Jersey in 1778, 1779, and 1780.

After the Revolution, Dickinson was sent to Congress in 1782 and 1783 as a delegate from Delaware, where he owned property. In 1783 he returned to New Jersey and was elected to the Privy Council. He served as vice president of the council in 1783 and 1784. In the latter year he was appointed to a commission to choose a site for the national capital. In 1790 Dickinson was elected to the U.S. Senate to fill the seat vacated by William Paterson upon his succession to WL as governor of New Jersey. Dickinson served in the Senate from Nov. 23, 1790, to March 3, 1793, when he retired from politics. He died at his home, The Hermitage, near Trenton on Feb. 4, 1809 (*Biography of Congress*; Heitman, *Historical Register*; *NJA* [Privy Council]; *Livingston Papers*, vols. 1–5).

DONGAN, EDWARD VAUGHAN (ca. 1748–1777): An attorney, Edward was the youngest son of Walter Dongan of Staten Island. Dongan, who was admitted to the bar in 1770, established a practice in Elizabethtown and then in Rahway. He was married to Frances LaGrange, daughter of Bernardus LaGrange, patriarch of a family with strong Loyalist sentiments. When the Revolution broke out Dongan's house in Rahway was converted into a "Rebel barracks," leading to his seizure in the middle of the night by a body of armed patriots. WL ordered him removed to his father-in-law's home. In November 1776, he was commissioned a lieutenant colonel of the third battalion of the Loyalist New Jersey Volunteers.

As a member of the third battalion he participated, on Aug. 22, 1777, in the battle that occurred near Richmond on Staten Island and received a wound that would prove fatal three days later. As the American enemy approached, Dongan's wife, who had been on Staten Island, fled with their eighteen-month-old son under heavy fire from American guns. She struggled through marshes, ditches, and swamps to the harbor where she found a boat that took her to New York. The stress of the escape took the life of her son, who died the same day as his father and was buried in the same grave. Mrs. Dongan received £422 of the £2,232 claim she submitted to the British government. Dongan's property was confiscated on Apr. 18, 1778 (Sabine, *Loyalists of the American Revolution*; *Livingston Papers*, vols. 1 & 2).

DUANE, JAMES (1733–1797): James Duane was born in New York City on Feb. 6, 1733, the son of the Irish-born merchant Anthony Duane

and Althea Ketteltas. Duane's mother died when he was three, and he was brought up by his stepmother Grietje Riker. After being tutored by an Anglican clergyman, Duane clerked under James Alexander [q.v.], a few years after WL had studied with Alexander. Duane was admitted to the New York bar in 1754, and in 1767 became attorney general of New York.

During his early years, like many Anglicans, Duane was a member of the DeLancey faction in New York politics. This changed when, on Oct. 21, 1759, he married WL's sister Maria Livingston [q.v.]. Although he attempted to steer a middle course, he thereafter came to be identified with the Livingston party.

In the years prior to the Revolution, Duane speculated in land. He built upon his father's landholdings in western New York until he owned nearly 40,000 acres in the region west of Schenectady. In 1765 he erected the township of Duanesburgh, N.Y., which he made into a model settlement, and added to its population by bringing in German and British immigrants. Duane also speculated in the New Hampshire lands of Vermont. In 1768 he was appointed a New York boundary commissioner to investigate claims in that region, a position he would again hold under the new state government in 1784. He was also appointed Indian Commissioner in 1774.

Although politically conservative, Duane early joined the patriot movement. He was a member of the Continental Congress from 1774 to 1784; a delegate to the New York Provincial Convention in 1775; and a member of the revolutionary Committee of One Hundred. As a member of that committee he framed with John Jay [q.v.] the "Association" in 1775. Nonetheless, during the early years of the Revolution he showed such sympathy for the royal government that his career was in jeopardy. By the end of the war he had become a strong Whig.

In 1782 Duane was elected to commence a three-year term in the New York State Senate; he was returned to the senate in 1788. In 1786 he was chosen a delegate to the Annapolis Convention, but did not attend. An ardent Federalist, in 1788 he was a delegate to the state convention to ratify the federal Constitution. In 1789 he was appointed United States district judge for the District of New York, a position in which he served until 1794.

Of all the post-war offices held by Duane, he is most noted for his term as mayor of New York City from 1784 to 1789. It was due to

Duane's efforts as its mayor that New York City so rapidly recovered from the devastation of the war years and British occupation. He also vainly sought to keep the Federal government in the city.

Duane in 1794 retired from politics and moved with his family to Duanesburgh, where he died on Feb. 1, 1797 (Edward P. Alexander, *A Revolutionary Conservative: James Duane of New York* [1938]; E. Wilder Spaulding, *New York in the Critical Period, 1783–1789* [1932]; *DAB*; *Biography of Congress*; *Livingston Papers*, vols. 1, 3–5).

DUANE, MARIA LIVINGSTON (1739–1821): Maria Livingston was born on Oct. 24, 1739, the fifth child of Robert Livingston [q.v.]. On Oct. 21, 1759, she married James Duane [q.v.]. Fearing Duane's growing indebtedness due to heavy land speculation, Robert Livingston threatened to exclude his daughter from her inheritance, but did not carry out his threat. Maria Duane gave birth to ten children, five of whom survived to adulthood. She spent much of the Revolution with her family at Duanesburgh, N. Y., where they were in constant danger from Iroquois attack. Maria Duane returned to New York City at the end of the Revolution. Her husband's election as mayor made her the city's official hostess. It was in this capacity that she served in Martha Washington's absence as George Washington's hostess when the federal government sat in New York City. In 1794 she and her husband settled permanently at Duanesburgh, where she died on May 6, 1821 (Edward P. Alexander, *A Revolutionary Conservative: James Duane of New York* [1938]; *Livingston Papers*, vol. 4).

ERSKINE, ROBERT (1735–1780): Erskine, born in Dumferline, Scotland, attended the University of Edinburgh. A multifaceted person, he was a geographer, a surveyor, a cartographer, and an inventor, who in 1764 patented a mechanical pump. Erskine arrived in America in 1771, a representative of a group of British investors who owned extensive land in present-day Passaic County. Erskine developed part of this land into the Ringwood Manor Iron Works.

As the Revolution approached, Erskine in 1775 raised one of the first militia companies that would fight for the patriot cause. In retaliation, the British plundered his manor, but, undeterred, Erskine supplied the iron for the chain that blocked the Hudson River at West Point. Erskine, who was appointed surveyor general to the Continental army, produced

a series of maps of the New York-New Jersey area that were of extreme value to the American army and to historians and genealogists since. He died on Oct. 2, 1780 (Albert Henry Heusser, *The Forgotten General, Robert Erskine* [1928]; Adrian C. Leiby, *The Revolutionary War in the Hackensack Valley* [1962]; *Livingston Papers*, vol. 3).

FAGAN, JAKE (JACOB) (d. 1778): The notorious leader of the Pine Robbers, Fagan, with his gang, in September 1778 went to the home of Capt. Benjamin Dennis [q.v.] on the Manasquan River. Their plan was to steal prize goods Dennis had captured from a British vessel. Smith, one of the robbers, told Mrs. Dennis of the plan. Mrs. Dennis, after sending her daughter and her brother to the swamps for safety, defended the house. When the robbers came, she refused to tell them where the goods were hidden. They attempted to hang her, but she loosened the rope around her neck and escaped. Smith later told Captain Dennis that Fagan was planning another foray on the house for the goods. Fagan was killed on his second attempt, his body tarred, and suspended in chains (*History of Monmouth Co., N. J., 1663-1920*, vol. 1; *Livingston Papers*, vols. 2 & 3).

FORMAN, DAVID (1745-1797): Born the son of New York shipping merchant Joseph Forman and Elizabeth Lee on Nov. 3, 1745, Forman was raised in Monmouth County, N.J. He attended the College of New Jersey (Princeton), but did not graduate. Forman married Ann Marsh on Feb. 28, 1767.

In June 1776 Forman was commissioned a colonel of the New Jersey militia and in November he suppressed a Loyalist uprising in Monmouth County. The same year he was chosen by Washington to command a unit of continental regulars. In the spring of 1777 the New Jersey Legislature commissioned him brigadier general. He commanded the New Jersey militia at the October 1777 battle of Germantown, Pa., but in November he resigned his commission when charged by the New Jersey Legislature with complicity in the fraudulent Monmouth County election of that year. During the winter of 1777-1778, on orders from General Washington, Forman served on Maj. Gen. Charles Lee's staff. Following the 1778 battle of Monmouth, Forman was among those who testified against Lee at his court-martial. Between 1778 and 1781, while observing British naval movements along the New Jersey

coast for Washington, Forman took advantage of his position to confiscate Loyalist properties for his own use. In 1782 he became the head of the Association of Retaliation, a band of vigilantes that conducted raids against suspected Loyalists. The brutality of this organization earned Forman the warranted nickname "Devil David."

After the war, Forman was a judge of the Court of Common Pleas for Monmouth County from 1784 to 1794. He was defeated as the Monmouth delegate to the New Jersey Assembly in 1785 after the election was declared fraudulent. In 1794 he moved to Charlestown, Md. In 1797 he was captured by a British privateer while he was en route from New Orleans to New York and died September 12, aboard the ship, which was taking him to the Bahamas (*DAB*; *Livingston Papers*, vols. 1–5).

FRANKLIN, WILLIAM (1731–1813): Early appointments of William Franklin, the son of Benjamin Franklin, included those of comptroller of the General Post Office and clerk of the Pennsylvania Provincial Assembly. In 1757 William went to England with his father. There he studied law at the Middle Temple and was admitted to the bar. Franklin cultivated as his patron John Stuart, the earl of Bute, who promoted his official career. On Nov. 5, 1762, Franklin married Elizabeth Downes.

As a result of the earl of Bute's patronage, in 1763 Franklin was named governor of New Jersey. During his tenure as the last royal governor of New Jersey, Franklin supported the improvement of roads and agriculture and worked for the mitigation of debtors' laws. Franklin's first departure from Whig sentiments came during the 1765 Stamp Act controversy when he upheld the British position. He then quarreled with the assembly over the 1768 robbery of £6500 from the home of Stephen Skinner [q.v.], the treasurer of the Eastern Division of New Jersey.

As colonial opposition to Great Britain escalated, Franklin grew increasingly alarmed by the belligerent nature of the assembly. In February 1775 Franklin prorogued the assembly, but when it reconvened in May of that year, the controversy between governor and legislature continued. In March 1776 Franklin was placed under virtual house arrest, although left unmolested. On May 30 of that year he summoned a new assembly, but on June 14 the Provincial Assembly already sitting declared the proclamation was a violation of the resolves of the Continental Congress. The Congress ordered Franklin arrested and he was

brought before that body on June 21. Refusing to answer any questions, he was ordered by Congress to be sent to Connecticut, where he was held prisoner until exchanged on Nov. 1, 1778.

After his exchange, Franklin resided in British-occupied New York City, where he gathered information and supplies for the British. In 1782 he went to England, where he petitioned the British government to recover his wartime losses of £48,812. He was awarded £1,800 and an annual pension of £420. In 1784 he was reconciled with his father. Franklin died in England in November 1813 (*DAB*; Sabine, *Loyalists of the American Revolution*; Ricord, *NJA*; *Livingston Papers*, vols. 1–4).

**FRELINGHUYSEN, FREDERICK (1753–1804):** Frelinghuysen, the son, grandson, and stepson of ministers, was expected to follow in their footsteps, but was drawn to politics. In 1771 he decided to study law with New Jersey attorney Richard Stockton [q.v.] and that same year accepted the position of tutor at newly founded Queen's College (Rutgers). By the time of his 1775 marriage to Gitty Schenck, he had passed the bar and was active in politics at the county level. In addition, he was an ardent patriot who in May of that year was elected a delegate to the Provincial Congress. Frelinghuysen was also a member of New Jersey's Committee of Correspondence and an officer in a battalion of Somerset County militiamen.

Frelinghuysen was elected to the second Continental Congress in May 1776 and then served in the convention that wrote New Jersey's constitution. In the summer of 1776 Frelinghuysen, a major on Philemon Dickinson's [q.v.] staff, joined Washington's army as it retreated to Pennsylvania from New Jersey. In February 1777 Frelinghuysen was promoted to colonel of the first regiment of the Somerset militia and then named one of the state's commissioners of forfeited lands. In the summer of 1777 Frelinghuysen participated in the attack on Staten Island led by Maj. Gen. John Sullivan. His regiment later took part in the June 28, 1778, battle at Monmouth Courthouse.

In 1778 Frelinghuysen was elected a delegate to the Continental Congress, but resented being away from military action. He resigned his seat the following April and returned to active service. In January 1781 he and the Rev. James Caldwell [q.v.] were sent by WL to quiet rebellious New Jersey soldiers, protesting lack of supplies and money. After the mutiny was quelled Frelinghuysen was named state commissioner to investigate the militia's complaints of depreciated pay.

Frelinghuysen's political career continued after the Revolution, and in 1793 he was elected United States senator, serving until his resignation in 1796. He died in 1804 (Richard P. McCormick, *Rutgers: A Bicentennial History* [1966]; *Livingston Papers*, vols. 1–4).

FRENCH, PHILIP (ca. 1697–1777): WL's father-in-law, Philip French was born in New York City, the son of the wealthy New York merchant and sea captain Phillip French and Annetje Philipse. Like his father, French entered into the mercantile business. He married Susannah Brockholst, the daughter of former New York lieutenant governor Maj. Anthony Brockholls. Their children included Elizabeth, who married David Clarkson [q.v.]; Susannah [q.v.], who married WL; and Mary, who married William Brown, whose first wife had been the daughter of New Jersey governor William Burnet. After the death of his first wife, French remarried, and among his children was Philip French [q.v.].

About 1740 French moved to Middlesex County, N. J., where he had purchased large landholdings, including most of present-day New Brunswick. French was an active developer of the town and gave generously to Christ's Episcopal Church, of which he was a member. He built a large mansion in New Brunswick in 1740, but fire totally destroyed the house the following year. Thereafter French suffered continuous financial setbacks. He nonetheless was an avid supporter of a college in New Brunswick and was a member of the first board of trustees of Queen's College (Rutgers) when it was formed in 1767. In 1771 he donated the land on which the college was built. At the outbreak of the Revolution, French went into bankruptcy and his properties were turned over to the sheriff. French died in New Brunswick in 1777 (Sedgwick, *Livingston*; Ricord, *NJA*; Morris, *Unpublished Papers of John Jay*; William H.S. Demarest, *A History of Rutgers College, 1766–1924* [1924]; *Livingston Papers*, vols. 3 & 5).

FRENCH, PHILIP, JR. (1733–1803): French was born in New York City, the son of Philip French [q.v.] and his second wife. He was the step-brother of Susannah French Livingston [q.v.]. French grew up in New Brunswick, N.J., where he assisted in the management of his father's estates and served as a Middlesex County judge. At the outbreak of the Revolution his Loyalist sympathies became known. He fled to New York City, where in 1777 he petitioned to be allowed to return to New Brunswick. On Aug. 15, 1778, French was indicted as a Loyalist, and

the remainder of the estates he had inherited from his father were confiscated. He nonetheless returned to New Brunswick prior to 1779. French died in Franklin Township, N. J., in March 1803 (Morris, *Unpublished Papers of John Jay; Livingston Papers*, vol. 3).

FRENEAU, PHILIP (1752–1832): Born in New York City, Freneau lived in Middletown Point, N.J. He was educated at the College of New Jersey (Princeton) and graduated from there in 1771 with classmates James Madison and Hugh Henry Brackenridge [q.v.]. Trained as a minister, Freneau abandoned his religious career for literature in 1772 with the publication of patriotic poems written in collaboration with Brackenridge. In 1775 he secured the position of secretary to a planter on Santa Cruz and lived there three years while the Revolution raged in the United States.

In 1778, while attempting to return to New Jersey, he was captured by a British privateer, but was released. He landed at Shrewsbury, N. J., on July 9, only two weeks after a British unit had plundered Monmouth County. Six days later, Freneau, shocked by the devastation caused by the war, enlisted as a private in Captain Barnes Smocks' company of the first regiment of the New Jersey militia. Freneau's enlistment expired on May 1, 1780, and he secured a berth on the merchant ship and privateer, the *Aurora* bound for St. Eustatius. On May 16 he was captured by a British frigate and was held prisoner in New York Harbor on the ship *Scorpion* until he developed a fever and was then transferred to the hospital ship *Hunter*. Freneau remained ill until his exchange was negotiated by friends on July 12. He was released on July 13, 1780. The next year Freneau published "Some Account of the Capture of the Ship *Aurora*," in which he described the crowded prison ship whose decks leaked so badly "that the sick were deluged with showers of rain." The men lie "totally insensible, and yielding their last breath in all the horrors of light-headed frenzy." The latent hatred Freneau developed toward the British found further expression in his poem, "The British Prison Ship," in which Freneau graphically described "mouldy bread, and flesh of rotten swine / The mangled carcass, and the battered brain / The doctor's poison, and the captain's cane. . . ."

After his release Freneau continued to pursue a varied career. In 1781 he edited the *Freeman's Journal* in Philadelphia. The next year he worked as a clerk in the Philadelphia Post Office. He returned to sea in 1784,

and was nearly drowned in a hurricane off the coast of Jamaica. In 1785 he sailed as master and then captain of the *Monmouth* and was later captain of the *Industry* and the *Columbia*, all of which sailed between Philadelphia and New York City to Charleston and Savannah and the West Indies.

In 1790 Freneau turned his attention again to editorial work and settled in New York. In February 1791 he accepted Secretary of State Thomas Jefferson's offer to work as part-time translator in the State Department. That same year Freneau published the first issue of the *National Gazette*. The next year Alexander Hamilton began publishing anonymous attacks on Freneau and Jefferson, charging both with bribery and collusion. Freneau maintained his innocence but was forced to resign his State Department post in October 1793.

Freneau continued both his publishing career, and his maritime career, returning to the sea in 1802 as master of the *Fanny*. He retired from the sea in 1807 after passage of the Embargo Act. His literary career continued and he periodically published new poems and essays. His last poem, on the battle of Monmouth, appeared on June 30, 1827. Freneau died on his farm near Freehold, N.J., on Dec. 18, 1832 (Emory Elliott, *Revolutionary Writers, Literature and Authority in the New Republic, 1725–1810* [1982]; Lewis Leary, *That Rascal Freneau, A Study in Literary Failure* [1964]; Jacob Axelrad, *Philip Freneau: Champion of Democracy* [1967]; Moses Coit Tyler, *The Literary History of the American Revolution*, 2 vols. [1957], vol. 1; *Livingston Papers*, vol. 2).

HEDDEN, JOSEPH, JR. (1728–1780): Hedden in 1776 was appointed by the New Jersey Provincial Congress commissioner to manage the ferries over the Passaic and Hackensack rivers. The next year he was appointed Essex County judge of common pleas and commissioner with responsibility for inventorying the estates and effects of Loyalists. On the evening of Jan. 25, 1780, the Loyalists revenged themselves for Hedden's role in the confiscation of estates. That night, a band broke into Hedden's Newark house on Broad Street and dragged Hedden outside. He was taken to New York's notorious prison, the Sugar House, where he grew ill. His brothers, David and Simon, learned that he was gravely ill and managed to secure his release just prior to his death on Sept. 27, 1780 (*History of Essex and Hudson Counties*, comp., William H. Shaw, 2 vols. [1884], 1: 38–39; *Livingston Papers*, vols. 1–3).

HETFIELD (HATFIELD), CORNELIUS, JR. (1742–1823): Member of an Elizabethtown, N.J., family whose loyalties were split by the Revolution, Hetfield and his father worked together as farmers until 1776. His father was a patriot but Cornelius joined the British army in December 1776. Hetfield's base was on Staten Island and from there he directed land and sea expeditions against the Americans. In 1779 Hetfield received a commission in the British army as captain of the New Jersey Volunteers from Sir Henry Clinton. That same year New Jersey confiscated his estates. During the June 1780 battle of Springfield, the British burnt the Presbyterian Church in Elizabethtown, probably at the instigation of Hetfield. His father, horrified by his son's deed, opened the doors of his storehouse to the congregation. It was from there that the Rev. James Caldwell [q.v.] preached on Jan. 25, 1780, with his pistols resting on either side of the pulpit.

On Jan. 25, 1781, Hetfield, in retaliation for the hanging of a British spy, hanged a Bergen County man, Stephen Ball. In 1783 Hetfield was arrested on charges of robbery but was exonerated by a British court martial on Sept. 27, 1783. Following the British evacuation of New York, Hetfield fled first to Nova Scotia and then to England, where on Dec. 16, 1785, he appeared before the Loyalist claims commissioners. He was awarded the yearly sum of £50 to compensate him for his services and losses during the war. In 1807 Hetfield returned to New Jersey only to be arrested for the 1781 murder of Ball. He was released, but fearing vengeance from Ball's friends, fled back to England (Abraham Hetfield, *The Descendants of Matthias Hetfield* [1954]; Court Martial Extracts, British Headquarters Papers, N. Y. Public Library #10173; Palmer, *Sketches of Loyalists; Livingston Papers*, vols. 3 & 5).

HOFFMAN, ALIDA LIVINGSTON HANSEN (1728–1790): WL's sister Alida was born at Livingston Manor, the second to the youngest daughter of Philip Livingston [q.v.] and Catrina Van Brugh [q.v.]. She was baptized at Albany, N. Y., on July 18, 1728. Alida received the rudimentaries of education at the manor. In 1750 she married Henry Hansen of Harlem, N. Y., and moved to New York City. They had no children.

After the death of Hanson, Alida married on Sept. 24, 1766, Col. Martin Hoffman [q.v.] in the New York City Reformed Dutch Church. Alida first settled with her husband in New York City and then on his estates at Red Hook, N.Y. They had one child, a son Philip [q.v.]. The Hoffmans also owned an estate at Basking Ridge, N.J., where Alida

moved after her husband's death in 1772 to be near her sister Sarah Livingston Alexander [q.v.], Lady Stirling, who also had a country seat there. Mrs. Hoffman remained at Basking Ridge throughout the Revolution. The war placed her in difficult financial straits as she was dependent upon her Loyalist stepson Nicholas for income from her deceased husband's estate. Alida Hoffman died at Livingston Manor in February 1790 (Van Rensselaer, *Livingston Family*; William Wickham Hoffman, *Eleven Generations of the Hoffmans*; *Livingston Papers*, vols. 3–5).

HOFFMAN, MARTIN (1706–1772): Hoffman was born on Feb. 6, 1706, in Kingston, N.Y., the oldest child of Nicolaes Hoffman and Jannetje Crispell. A farmer, Hoffman moved to land originally purchased by his father near Red Hook in Dutchess County, N.Y. He established a grist mill in the area later known as Hoffman Mills, engaged in agricultural freighting operations, and rapidly expanded his landholdings in the area. In October 1733, he married Tryntje (Catherine) Benson. They had nine children.

Through his milling and freighting operations, Hoffman became one of the largest and most influential landholders in Dutchess County. He was appointed justice of the peace for the county in 1750, and in the following year was appointed a judge of the court of common pleas. Hoffman also served as colonel of the Dutchess County militia, and served during the French and Indian War. In 1756 Hoffman raised forces for the British expedition against Crown Point, N.Y., and participated in the British expedition against Quebec in 1759. After the death of his first wife in 1765, Hoffman married Alida Livingston Hanson [q.v.] on Sept. 24, 1766. They had one son, Philip [q.v.]. Hoffman died on August 29, 1772 (William Wickham Hoffman, *Eleven Generations of the Hoffmans*; *Livingston Papers*, vol. 3).

HOFFMAN, PHILIP LIVINGSTON (1767–1807): WL's nephew Philip Hoffman was born on Sept. 28, 1767, the son of Martin Hoffman [q.v.] and Alida Livingston Hansen Hoffman [q.v.]. He married Helen Kissing on Nov. 18, 1787. He died at Johnstown, N.Y., on Nov. 26, 1807 (*Livingston Papers*, vol. 4).

HOFFMAN, SARAH OGDEN (ca. 1740–1823): Hoffman was born in Newark, N.J., the daughter of David Ogden [q.v.] and Gertrude Gouverneur. On Nov. 14, 1762, she married Nicholas Hoffman, stepson of

WL's sister Alida Livingston Hanson Hoffman [q.v.]. She had four children, three of whom survived to adulthood.

During the Revolution, both Hoffman's father and husband remained loyal to England. She remained with her husband in New York City. Much to WL's outrage she frequently visited her family in Newark, and her stepmother Alida Livingston Hoffman in Basking Ridge, N.J., in violation of New Jersey laws regarding intercourse between British-occupied New York City residents and residents of the state.

At the end of the Revolution, Sarah Hoffman remained in New York City, where she became noted for her philanthropic pursuits. With the death of her husband in 1800 she became active in social welfare programs. The numerous organizations to which Mrs. Hoffman belonged included the Society for the Relief of Poor Widows with Small Children, which she served as director from 1799 to 1806. In the latter year she was instrumental in founding the New York Orphan Asylum, becoming its first director. Sarah Hoffman died in the home of her son Martin in 1823 (Hoffman, *Eleven Generations of the Hoffmans*; Lamb, *NYC History; Livingston Papers*, vol. 4).

HOLMES, ASHER (1740–1808): Holmes was born on Feb. 16, 1740, in Freehold, N.J. He married Sarah Watson. At the outbreak of the Revolution, Holmes was a member of the Freehold Committee of Correspondence and the Monmouth County Committee of Observation in 1774 and 1775. In June 1776 he was appointed to the Monmouth committee to select a delegate to the Continental Congress and to the congressional Committee on Bills of Credit. On June 14, 1776, Holmes was made mustermaster and commissioner for payment of bounty of Brig. Gen. Nathaniel Heard's brigade of the state troops. In 1777 he was elected sheriff of Monmouth County.

During the Revolution, Holmes saw extensive military service as a militia officer with the rank of captain, first major, and colonel of the Monmouth County militia and the New Jersey state troops. Although he participated in the battles of Trenton and Germantown, he was primarily active in the defense of Monmouth County, which was highly vulnerable to British attack. In the defense of his home county, Holmes fought in the 1779 battle of Monmouth. In December 1779 he led a militia detachment in the capture of the British privateer *Britannia* at Shoal Harbor. The ship was condemned as a prize of war and was sold

at auction in March 1780. In 1780 Holmes was also commissioned muster-master for the Continental line of troops from Monmouth County.

In 1780 Holmes was made a member of the Monmouth County Committee of Retaliation to conduct military reprisals against Loyalists remaining in the county. On Dec. 20, 1781, he was appointed appraiser for Monmouth County to assess the damages sustained by inhabitants through military actions. A statesman as well as a soldier, he was a member of the New Jersey Privy Council in 1784–1785, 1786–1789, and 1799. Holmes died in Freehold on June 20, 1808 (*NJA* [Privy Council]; Stryker, *Official Register*; Larry R. Gerlach, *Prologue to Independence* [1976]; *Livingston Papers*, 1–5).

HOUSTON, WILLIAM CHURCHILL (1746–1788): An educator and attorney, the Quaker William Churchill Houston was also an active politician. Houston was educated at the College of New Jersey (Princeton) and was appointed tutor there in 1771. He was later named first professor of mathematics and natural philosophy. In 1775 and 1776, he began his political career by serving as deputy secretary of the Continental Congress. He also served as New Jersey assemblyman from 1777 to 1779 and was a representative to the Continental Congress from 1779 to 1781 and again in 1784. Houston studied law with Richard Stockton [q.v.] of Princeton and was admitted to the bar in April 1781. He resigned his professorship in 1783 and moved to Trenton.

One of his most conscientiously undertaken wartime tasks while a congressional representative was to keep WL informed of national events. As an example, see his Sept. 27, 1780, letter to WL telling him of the André-Arnold conspiracy. His most significant contribution to the political development of the new nation was made in 1787, when, although ill with tuberculosis, he served with WL as a delegate to the Constitutional Convention. He died only a year later at Frankford, Pa. (William Nelson, *New Jersey Biographical and Genealogical Notes*, New Jersey Historical Society *Collections*, vol. 9 [Newark, 1916]; *Livingston Papers*, vols. 2–5).

HUNTER, ROBERT (1666–1734): Born in Edinburgh, Hunter served as a dragoon officer and aide-de-camp to John Churchill, duke of Marlborough, from 1688 to 1706, when he retired from active military service. Named governor of Virginia in 1707, Hunter was captured by French

privateers and taken captive to Paris, where he remained until exchanged in 1709. On his return to London, Hunter enjoyed the companionship of such Augustan luminaries as Richard Steele, Joseph Addison, and Jonathan Swift. A poet and playwright, Hunter contributed several pieces to Steele's *Tatler*, first published in 1709. That same year, he was named governor of New York and New Jersey.

Hunter arrived in New York in 1710, bringing with him almost three thousand Palatine refugees whom the British government had sponsored to establish a naval stores program in New York. The project, which proved unsuccessful, was established in part on 6000 acres Hunter purchased from Robert Livingston [q.v.].

The Palatine experiment was one of Hunter's few failures. In both New York and New Jersey, Hunter, after allying with such provincial leaders as Lewis Morris and Robert Livingston, quieted dissent and enjoyed successful administrations. A man of education and culture, Hunter was the author of *Androboros*, the first play published in New York. He also encouraged scientific inquiry among learned provincials and was himself an amateur scientist. He returned to London in 1719 and the following year resigned his gubernatorial commission and was named comptroller of customs under Robert Walpole. In 1727 Hunter accepted the post of governor of Jamaica and died on that island on Mar. 31, 1734 (Mary Lou Lustig, *Robert Hunter, 1666–1734: New York's Augustan Statesmen* [1983]; *Livingston Papers*, vol. 5).

HYDE, EDWARD, LORD CORNBURY (1661–1723): Grandson of Edward Hyde, first earl of Clarendon, Cornbury was cousin to both queens Mary and Anne. A dragoon officer, he had supported William of Orange in his 1688 invasion of England. Perennially in debt, he sought a colonial post in the expectation of making money, and in 1702 he was appointed governor of New York and New Jersey. Both administrations were marred by Cornbury's greed and rapacity while the dignity of the office declined due to Cornbury's unfortunate habit of dressing in women's clothes. He was recalled in 1708 only to be arrested at the order of his New York creditors. He finally left for England in July of 1710 after borrowing from newly arrived governor Robert Hunter [q.v.] the money to pay off his creditors (William Smith, *History of the Late Province of New York*, 2 vols. [1829]; Jones, *History of New York; Livingston Papers*, vol. 1).

JAY, JOHN (1745–1829): Jay, the sixth son of Peter Jay and Mary Van Cortlandt, was born on Dec. 12, 1745, into one of New York's wealthiest and most influential families. A sickly and bookish child, he was educated by private tutors. He then attended King's College (later Columbia), from which he graduated in 1764. Jay was then apprenticed to the law firm of Benjamin Kissam, during which time he formed a close friendship with Robert R. Livingston [q.v.]. In 1768 he was admitted to the New York bar and commenced his private law practice. After his marriage proposals were rejected by both of Peter DeLancey's daughters, Jay became the son-in-law of WL on Apr. 28, 1774, when he married Sarah Van Brugh Livingston [q.v.].

In 1774 Jay was elected to the New York Committee of Fifty-One to protest the Boston Port Act. He was sent as New York's delegate to the first and second Continental Congresses in 1775 and 1776. In the latter year he was elected to the New York Provincial Congress, and from 1777 to 1779 he served as chief justice of New York. In December 1778 Jay was returned to the Continental Congress, where he was elected its president and served until Sept. 28, 1779.

On Sept. 27, 1779, Congress appointed Jay as minister plenipotentiary to Spain to procure assistance and recognition for the new American government. Jay left for Spain in October 1779, accompanied by his wife and his brother-in-law, Henry Brockholst Livingston [q.v.]. After a harrowing voyage, during which their ship was disabled, the Jay party arrived in Cádiz on Jan. 22, 1780. Jay's efforts to procure Spanish recognition were injured when Henry Brockholst Livingston and aides Lewis Littlepage and William Carmichael created dissension within the American mission. On June 14, 1781, Jay was appointed a minister to negotiate peace with Great Britain. The following spring Benjamin Franklin, John Adams and John Jay began the negotiations that produced the Treaty of Paris.

Declining appointments as minister to France and to Great Britain, Jay returned to New York in 1783. From Dec. 21, 1784, Jay was secretary for foreign affairs, and secretary ad interim of its successor, the new Department of State, until Jefferson took over on Mar. 22, 1790. In 1785 Lewis Littlepage arrived in New York and, aided by Henry Brockholst Livingston, began a vicious but futile pamphlet war against Jay.

Despite Littlepage's charges, Jay's official career prospered, particu-

larly in 1787–1788 when he joined Madison and Hamilton in the writing of the *Federalist Papers*. In 1790 Jay was nominated chief justice of the United States. In 1792 he was defeated in the election for governor of New York by George Clinton. In 1794 he negotiated the treaty with Great Britain that provided for the evacuation of the northwest posts and for the establishment of a mixed claims commission. Although ratified, the Jay Treaty was widely unpopular.

In 1795 Jay returned from England to find he had been nominated and elected governor of New York. He served until 1800. As governor of New York, Jay signed the act for the abolition of slavery in that state. He had earlier emancipated his own slaves. In 1800 he declined a re-election bid and renomination as chief justice to retire from public life (Frank Monaghan, *John Jay, Defender of Liberty* [1935]; Morris, *Unpublished Papers of John Jay; Livingston Papers*, vols. 1–5).

JAY, PETER AUGUSTUS (1776–1843): WL's grandson Peter Augustus Jay was born on Jan. 24, 1776, at Liberty Hall in Elizabethtown, N. J., the son of John and Sarah Livingston Jay [qq.v.]. From 1779 to 1784 Jay spent most of his time in the care of WL and Susannah French Livingston while his parents were in Europe. He attended Columbia College, graduating in 1794, and then served as his father's private secretary during John Jay's 1794 mission to England, during which the Jay Treaty was negotiated.

Upon his return to New York, Jay began the study of law in the office of his cousin Peter Jay Munro. He was admitted to the New York bar in 1797, and then formed a partnership with Munro. His poor health caused him to travel to Bermuda in 1800 and to southern Europe in 1801 in hopes of finding a cure. Jay happened to be in Paris when the Louisiana Purchase Treaty was signed, and he was asked by the commissioners to deliver the terms of the treaty to President Thomas Jefferson. In 1807 Jay married Mary Rutherford Clarkson, the daughter of Mathew Clarkson. They had eight children.

Jay became one of the most sought after attorneys in New York City, handling the suits of the city's wealthiest citizens. In 1811 he unsuccessfully defended those students charged with a riot during the Columbia College commencement exercises. From 1812 to 1817 and again in 1823 he was a trustee of Columbia. In 1812 Jay was nominated for election to the United States Senate, but the legislative election was declared void

and he was defeated in the senatorial race the following year. In 1816 he was elected to the New York Assembly as a Federal Republican. In 1820 Jay was appointed recorder of New York City by Gov. George Clinton, and in 1821 was a member of the convention which framed New York's new state constitution. He voted against the final draft, finding it too radical in its promotion of universal male suffrage. In 1824 he inherited the Jay family homestead at Rye, N.Y., which he eventually tore down to replace with a new mansion.

In the final years of his life, Jay was prominent in many public capacities. He was president of New York Hospital from 1827 to 1833. In 1833 he was a member of the commission that fixed the boundary between New Jersey and New York. In 1840 he became president of the New York State Historical Society, and was instrumental in finding for it a new home. Jay died in New York City on Feb. 20, 1843 (*DAB*; *Livingston Papers*, vols. 1-5).

JAY, SARAH VAN BRUGH LIVINGSTON (1756-1802): Sarah, WL's fifth child, was born on Aug. 2, 1756, in New York City. Less than eighteen years later, on Apr. 28, 1774, she married John Jay [q.v.] at her parents' home in Elizabethtown, N. J. While John served as a delegate to the first and second Continental Congresses in Philadelphia, Sarah remained at her parents' home or with her in-laws at Rye, N. Y. Her loneliness was abated somewhat after the birth of her first son, Peter Augustus [q.v.], on Jan. 4, 1776. Sarah, who was to give birth to six children, five of whom survived to adulthood, eventually moved to Philadelphia in 1779. In October of that year the Jays sailed for Spain after John was appointed minister plenipotentiary to that country. Young Peter was left in the care of Mrs. Jay's parents.

The purpose of Jay's mission was to secure money and a treaty of friendship from the Spanish king. After a harrowing sea voyage, during which their ship was dismasted, blown off course, and almost captured by the British, the Jays arrived in Martinique, farther from Spain than when they had left the United States. They finally obtained passage on another ship and arrived in Cádiz on Jan. 22, 1780. After another difficult land voyage across Spain, made almost unbearable by lice, vermin, and greedy landlords, the Jay party eventually reached Madrid. There, Sarah found herself isolated from Spanish society because the United States was not recognized as a sovereign nation.

In addition to loneliness, Sarah Jay had to cope with the death of a new-born daughter and dissension between her husband and her brother, Henry Brockholst Livingston [q.v.], who was acting as secretary to the mission. Brockholst returned to the United States in 1781 and the Jays left the following year for Paris, where John Jay, along with John Adams and Benjamin Franklin, negotiated the treaty that was to bring the United States peace on favorable terms.

The Jay family returned to America in 1784 and settled in New York City, where Sarah Jay established their lower Broadway home as a social center. She remained in New York while John Jay traveled to England to negotiate the Jay Treaty in 1794. On his return the family moved to Albany, where John served his term as governor. In 1801 John Jay retired to Bedford, N. Y., while Sarah Jay stayed with her sister Catharine at Oak Hill near Hudson. In October of 1801 Sarah Jay joined her husband at Bedford, where she died on May 28, 1802 (Mrs. Ellet, *The Queens of American Society* [1867]; Frank Monaghan, *John Jay: Defender of Liberty* [1935]; *Livingston Papers*, vols. 1, 3–5).

**KENNEDY, ARCHIBALD, JR.** (d. 1794): Like his father, Archibald Kennedy, Sr., who came to New York in 1710, Archibald, Jr., held several provincial offices and commissions in the Royal Navy. The son was commissioned a lieutenant in the Royal Navy in 1744 and captain in 1757. Kennedy also served as a member of the New York Governor's Council. He resigned his captain's commission in the Royal navy after riots broke out following the passage of the 1765 Stamp Act.

At the beginning of the Revolution, Kennedy and his wife, the former Ann Watts, sister of Robert [q.v.] were living on a 400-acre farm at Pavonia (present-day Jersey City). Sympathetic to the British, Kennedy was arrested by the Patriots on July 6, 1776, and then released on parole at the order of the Provincial Congress. Accused of spying, he was arrested again and then paroled at home in January 1778. He moved to Newton, N.J., but returned to his Pavonia home on parole on May 7, 1778. He remained there until 1781, when he sailed for England with his wife and four children. In London, the Loyalist Claims Commission awarded him £1,256 for his estimated wartime losses of £4,898. He succeeded to the earldom of Cassilis in 1792 and died in 1794 (*The Royal Navy and North America: The Warren Papers, 1736–1752*, Navy Records Society Collection, Julian Gwyn, ed. [1975], vol. 118; *Livingston Papers*, vols. 1, 2, 4).

**KINSEY, JAMES (1731–1802):** Kinsey was born in Philadelphia, on Mar. 22, 1731, the son of Quaker landholder John Kinsey. The elder Kinsey owned extensive properties in both Pennsylvania and West New Jersey. James Kinsey attended Philadelphia common schools, then studied law. He moved to Burlington, N.J., and was admitted to the New Jersey bar in 1753. He married Hannah Deacon.

In 1767 Kinsey represented the East Jersey Board of Proprietors. From 1772 to 1775, Kinsey was a member of the New Jersey Provincial Assembly. He led the opposition to Gov. William Franklin [q.v.] over the £6500 stolen from a chest in the home of Stephen Skinner [q.v.], treasurer of the Eastern Division of New Jersey in what became a highly symbolic revolutionary issue.

Kinsey was a member of the Committee of Correspondence for Burlington County in 1774 and 1775, and a delegate to the Continental Congress on July 23, 1774. Preferring to follow the nonviolent principles of the Quakers, the following year he withdrew from politics. Kinsey's sudden new-found neutrality led many to believe he was a Loyalist. As a result he was forced to give up his law practice during the war.

After the Revolution Kinsey returned to both the bar and New Jersey politics. In 1784, he was elected to the state assembly, where he was at first a leader in the opposition to WL. On Jan 7, 1789, Kinsey was named a state elector. He now allied politically with the governor and the conservative political forces WL represented. As Livingston's ally, he worked for the election of members of the West Jersey Junto. Kinsey was appointed chief justice of the New Jersey Supreme Court on Nov. 20, 1789, and he served in that capacity until his death. He was also a member of the New Jersey Privy Council in the winter of 1791–1792. Kinsey died in Burlington, N.J. on Jan. 4, 1802 (*Biography of Congress; NJA* [Privy Council]; *Eastern NJ Proprietors; Livingston Papers*, 1, 2, & 5).

**KOLLOCK, SHEPARD (1750–1839)** Kollock was born in Lewes, Del., in September 1750. He studied law, then was apprenticed as a printer to his uncle William Goddard in Philadelphia. A few years later he went to St. Croix, W. I., where he worked as a journeyman printer for the *Danish American Gazette*. He published fourteen-year-old Alexander Hamilton's description of a hurricane, thus introducing Hamilton to public notice. Kollock married Susan Arnett.

At the outbreak of the Revolution, Kollock went to New York City

where he was commissioned a lieutenant of a New York militia regiment in 1776. He then served with Alexander Hamilton at the 1776 battle of Trenton and on Jan. 1, 1777, became a first lieutenant of the Second Continental artillery. Kollock resigned his commission on Jan. 3, 1779, and began printing the *New Jersey Journal* at Chatham.

After the British evacuation of New York in 1783, Kollock moved his press to New York City and published the *New York Gazetteer* for three years. At the same time Kollock's *Political Intelligencer* appeared in New Brunswick. In 1785 he moved his press to Elizabethtown and renamed the *Intelligencer* the *New Jersey Journal*. He continued publication of the *Journal* until its 1818 sale. Kollock's press was also noted for publishing such works as the writings of Rev. Jonathan Dickinson and Jedidiah Morse's *The American Geography* (1789). Shortly after his move to Elizabethtown, Kollock also bought an old paper mill which he turned into a thriving industry.

Active in politics, Kollock played an important role in organizing the Jeffersonian Republican party in Elizabethtown and served in the New Jersey Assembly. Kollock was active in town affairs, helping to organize the Elizabethtown Circulating Library in 1792 and the Female Humane Society. In 1804 Kollock was appointed a judge of the Essex County Court of Common Pleas, serving in this capacity until his death. He became postmaster of Elizabethtown in 1822. Kollock died in Philadelphia, on July 28, 1839 (Thayer, *As We Were*; Richard F. Hixson, *Isaac Collins, A Quaker Printer in 18th Century America* [1969]; *DAB*; *NJA* [Privy Council]; *Livingston Papers*, vols. 3 & 5).

LAWRENCE, CATHARINE LIVINGSTON (b. 1733): WL's sister Catharine was born on Apr. 10, 1733, at Livingston Manor. On Apr. 18, 1759, she married John Lawrence [q.v.] and settled in New York City. They had no children. Catharine was widowed in 1764. Although she was left a small estate by her husband and an inheritance by her father Philip Livingston, the successful contesting of the latter by her brothers left her in financial straits. During the Revolution she lived at Livingston Manor with her brother Robert Livingston, Jr. [q.v.]. The war was financially difficult for Catharine, as she was unable to collect the rents on her New York City properties while the British occupied the city. For the rest of her life she remained financially dependent on her family (Van Rensselaer, *Livingston Family*; *Livingston Papers*, vols. 4 & 5).

LAWRENCE, JOHN (1721–1764): WL's brother-in-law John Lawrence was born in Newtown, Long Island, N.Y., the son of John Lawrence and Patience Sacket. He left Newtown at an early age and moved to New York City, where he became a successful merchant. He was elected city alderman from the Dock Ward in the 1750s. On Apr. 18, 1759, he married Catharine Livingston [q.v.]. They had no children. Shortly after his marriage his health deteriorated and he died in New York City on Aug. 5, 1764. He was buried in the New York City family plot of William Alexander [q.v.], Lord Stirling at Trinity Church (*N.Y. Historical Collections, Livingston Papers*, vols. 1, 4, & 5).

LINN, JAMES (1749–1821): Linn, WL's son-in-law, was born in Bedminster Township, N. J. He graduated from the College of New Jersey (Princeton) in 1769 and then studied law. He was admitted to the New Jersey bar in 1772 and commenced his legal practice in Trenton. On May 27, 1771, Linn married Mary Livingston [q.v.].

Prior to the Revolution, Linn was named judge of the Court of Common Pleas in Somerset County. In 1776 he was elected a member of the New Jersey Provincial Congress for Somerset County and also became a captain in the Somerset County militia, achieving the rank of first major on February 3 of that year. He resigned his commission on June 28, 1781. Linn was also a member of the Committee of Safety and in 1777 of the New Jersey Legislative Council.

After the war and the break-up of his stormy marriage to Mary, Linn was elected to the New Jersey General Assembly in 1790 and 1791. He was a member of the New Jersey State Council from 1793 to 1797. In 1799 he was elected a representative to the Sixth Congress, serving from Mar. 4, 1799, to Mar. 3, 1801. In 1801 Linn was appointed by President Thomas Jefferson to be supervisor of the revenue in New Jersey, a post he held until 1809. From then until 1820 Linn was secretary of state of New Jersey. He died in Trenton on Jan. 5, 1821 (*Biography of Congress; Livingston Papers*, vols. 1, 3, 5).

LINN, MARY LIVINGSTON (1753–1839): The third daughter of WL was born on Feb. 15, 1753. According to her father, Mary had an ungovernable temper which was the cause of both pain and concern to WL throughout his life. On May 27, 1771, Mary married James Linn [q.v.]. After nine years of marriage, Mrs. Linn left her husband and

sought refuge with her children in her father's house. After several refusals, WL reluctantly agreed to board her for a year on consideration of better conduct. In 1786 Mary Linn attempted to obtain a divorce from her husband. The suit was still pending in 1788, and there is no indication that she was ever successful in obtaining a legal divorce. Despite James Linn's early reluctance to support Mary and his children, he finally agreed to contribute to their support, as did Mary's brother Henry Brockholst Livingston [q.v.], who also oversaw her finances (*Livingston Papers*, vols 3–5).

LIPPINCOTT, RICHARD (1745–1826): Loyalist Richard Lippincott was born in Shrewsbury, N.J. He was named first sergeant of the Monmouth County militia on Mar. 6, 1776. In October of that year he was jailed for trying to conceal a spy sent by British general William Howe. Escaping from Burlington jail, Lippincott joined the British in New York in December 1776. He was then commissioned an ensign of the First New Jersey Volunteers, but resigned his commission in April 1777. On Feb. 17, 1781, he was commissioned captain of the Associated Loyalists. On Apr. 12, 1782, he was sent by the New York Board of Loyalists to negotiate the exchange of three prisoners at Sandy Hook. Without orders, Lippincott hanged Joshua Huddy, one of the men to be exchanged, in reprisal for the killing in March of Philip White, the Loyalist half-brother of his wife.

Outraged by the murder of Huddy, George Washington determined to retaliate on a British officer. He selected by lot prisoner of war Charles Asgill. In England, Asgill's mother, upon learning of her son's plight, appealed to French minister Vergennes. The appeal was published and created an outcry throughout England and France. The French brought pressure on the United States and Asgill was released by order of Congress. Thereafter several unsuccessful attempts were made by the Whigs to capture Lippincott, who was living in New York. With the 1783 British evacuation of the city, Lippincott went to England. Granted the half-pay of a captain, he obtained a land grant in York (Toronto), Canada. He lived there from 1794 until his death in 1826 (Sabine, *Loyalists of the American Revolution*; *Livingston Papers*, vols. 1, 4).

LIVINGSTON, ABRAHAM (1754–1782): WL's nephew Abraham Livingston was the son of Philip Livingston [q.v.] and Christina Ten Broeck

Livingston. He was the brother of Henry Philip, Philip J., and Philip Philip [qq.v.] Livingston. Livingston was a member of the New York Committee of Safety on Mar. 27, 1776. He acquired a contract for supplying New York troops from the New York Committee of Convention, confirmed by Congress in April 1776, but resigned on May 9, 1776. On December 6 he was employed by a committee of Congress to report on the purchase of clothing for the army. Livingston was made Continental clothier and purchasing agent at Charleston, S.C., on Apr. 14, 1777. On Feb. 3, 1778, the Committee of Commerce recommended Livingston as attorney to recover all commercial debts due to the states, and for claiming the Continental share of all prizes. The recommendation did not pass. On Nov. 3, 1778, Livingston requested a leave of absence to journey by a circuitous route to Charleston, where he was captured by the British in October 1780 and held as a prisoner of war. Livingston died in Charleston, S.C., in 1782 (Burnett, *Letters*; Alexander C. Flick, ed., *The American Revolution in New York: Its Political, Social and Economic Significance* [1967]; *JCC*; *Livingston Papers*, vol. 4).

LIVINGSTON, ALIDA SCHUYLER VAN RENSSELAER (1656–1727): WL's grandmother Alida, was born at Fort Orange (Albany), the third child of the prosperous merchant Philip Pieterse Schuyler and Margaretta Van Schlechtenhorst. In 1675, at the age of nineteen, Alida married Nicholas Van Rensselaer, minister of the Dutch Church at Albany and director of the Manor of Rensselaerswyck. Van Rensselaer died in November 1678, and on July 9, 1679, Alida married Robert Livingston [q.v.], who had worked for Van Rensselaer as secretary of Rensselaerswyck.

Alida Livingston played an important role in her husband's commercial activities and much of Livingston's monetary success can be attributed to her careful management. Due to Robert Livingston's frequent absences on business, his wife supervised the manor's tenants and made all the decisions regarding the production and transportation of products grown on the lands. In 1710 the English crown bought 6000 acres of Livingston Manor, created by patent from Gov. Thomas Dongan in 1685. This property and adjacent land was used for the establishment of a naval stores operation run by almost three thousand refugees from the Palatinate. Their victualling contract was awarded to Robert Livingston, but its terms were fulfilled by Alida Livingston. She obtained the raw material and oversaw its preparation in the man-

or's grist mill, bakery, and brewery and then oversaw its distribution to the Palatines. She also operated a store that provided the Palatines with necessary items at a tidy profit to the Livingstons. Alida Livingston died at the manor in 1727 (Lawrence H. Leder, *Robert Livingston and the Politics of Colonial New York* [1961]; Linda Briggs Biemer, "Business Letters of Alida Schuyler Livingston," *N.Y. History*, April 1982, 183 ff; *Livingston Papers*, vol. 5).

LIVINGSTON, CATHARINE KETTELTAS (1761–1801): Catharine was born in New York City, the daughter of Peter and Elizabeth Van Zandt Ketteltas. While boarding with the Ketteltas family in New York, WL's son Henry Brockholst Livingston [q.v.], began courting Catharine without the approval of his father. On Dec. 2, 1784, Brockholst and Catharine were married secretly. The marriage angered WL, who believed Brockholst married beneath his social station. Nonetheless, the marriage proved successful. Catharine bore Henry Brockholst four children. She died in November 1801 (Ruth Piwonka, *A Portrait of Livingston Manor 1686–1850* [1986]; *Livingston Papers*, vol. 5).

LIVINGSTON, CATRINA VAN BRUGH (1689–1756): WL's mother, Catrina Van Brugh, was born in Albany, N.Y., the only child of Albany mayor Peter Van Brugh and Sarah Cuyler. On Sept. 19, 1707, she married Philip Livingston [q.v.], bringing with her a substantial dowry. Catrina bore Livingston nine children, all of whom survived to adulthood. Leading a simple life, Catrina Van Brugh Livingston was noted for her thrifty habits and high temper. She died on Feb. 20, 1756, in New York City (Ruth Piwonka, *A Portrait of Livingston Manor* [1986]; Sedgwick, *Livingston*; *Livingston Papers*, vol. 5).

LIVINGSTON, CHRISTINA TEN BROECK (1718–1801): WL's sister-in-law Christina Ten Broeck was born in Albany, N. Y., on Dec. 30, 1718, the daughter of Dirck and Margarita Cuyler Ten Broeck. Her father was the mayor of New York City. She married Philip Livingston [q.v.] on Apr. 14, 1740. The couple resided in New York City, where Christina was a leader of society, and on a country estate in Brooklyn. She had nine children. After the death of Philip Livingston in 1778, Christina Livingston continued to live in New York City. She died in 1801 (Ruth Piwonka, *A Portrait of Livingston Manor* [1986]; *Livingston Papers*, vols. 4–5).

LIVINGSTON, GERTRUDE VAN RENSSELAER SCHUYLER (1714–1789): The second wife of WL's brother Robert [q.v.], was born in Albany, the daughter of Kiliaen Van Rensselaer and Maria Van Cortlandt. She married Adonijah Schuyler. After the death of her husband she married Robert Livingston, the third lord of Livingston Manor, in 1766. They had no children (*Livingston Papers*, vol. 4).

LIVINGSTON, HENRY (1748–1828): The son of WL's cousin Henry Livingston and Susan Conklin, Henry was born on Oct. 13, 1748. He was the brother of Rev. John Henry Livingston [q.v.]. He married Sarah Wells (1753–1783), the daughter of Rev. Benjamin Wells, in 1774. During the Revolution, Henry Livingston served for four months as a major in the Third New York Continental before retiring to his farm at Locust Grove, near Poughkeepsie, N.Y. After the death of his first wife, he married Janet Patterson on Sept. 1, 1793. He died on Feb. 29, 1828 (Van Rensselaer, *Livingston Family*; Morris, *Unpublished Papers of John Jay*; *Livingston Papers*, vol. 4).

LIVINGSTON, HENRY BEEKMAN (1750–1831): The son of Robert R. Livingston [q.v.] and Margaret Beekman was born on Nov. 9, 1750, at Clermont, N. Y. On June 28, 1775, Livingston was named a captain in the Continental army. Serving as aide-de-camp to his sister Janet's [q.v.] husband, Gen. Richard Montgomery, from July to December 1775, Livingston accompanied him on his expedition to Canada. Livingston's excessive zeal often caused Montgomery anxiety. By an act of Congress on Dec. 12, 1775, Livingston was awarded a sword as a testimonial of his services at Chambly. He was a major and aide-de-camp to Gen. Philip Schuyler from February to November 1776, and was promoted to the rank of colonel in the Continental army on Nov. 21, 1776. Wounded at the battle of Monmouth on June 28, 1778, he resigned his commission on Jan. 13, 1779.

On Mar. 11, 1781, at Philadelphia, Livingston married Anne Hume Shippen, the daughter of Dr. William Shippen and Alice Lee. During Lafayette's triumphal tour of America in 1824, he requested to see his old friend Henry Livingston. His wish was granted when his steamer arrived at Kingston, N.Y. Livingston died in Columbia County, N. Y., on Nov. 5, 1831 (Heitman, *Historical Register*; *Livingston Papers*, vol. 2).

LIVINGSTON, HENRY BROCKHOLST (1757–1823): Ninth child and fifth son of WL and Susannah French Livingston, Brockholst was given as a

middle name his maternal grandmother's maiden name. Raised in New York City, Brockholst attended the College of New Jersey (Princeton) from 1771 until graduation in 1774, when he gave the English oration on the subject of liberty. Like most members of his family, Brockholst was active in the revolutionary effort and in January 1776 accompanied his uncle Lord Stirling [q.v.] in the capture off Sandy Hook of the British frigate, *Blue Mountain Valley*. He then entered the Continental army as a captain and joined the staff of Gen. Philip Schuyler at Albany. Schuyler came under congressional attack in 1777 and was replaced in August by Horatio Gates, much to Brockholst's indignation. The young man, along with another Schuyler aide, Richard Varick, joined the staff of Benedict Arnold. Brockholst, who inherited his father's quick temper and contentiousness, was far from discreet in making known his dislike of Gates. His attacks against the general continued until he was forced to fight a duel with one of Gates's aides on Sept. 19, 1777. Gates demanded that Arnold dismiss Brockholst but Arnold refused. Brockholst decided he no longer wished to serve under Gates and resigned his post.

Brockholst was promoted to lieutenant colonel on Oct. 4, 1777. He remained with the army until January 1778 when WL urged him to resign his commission to study law. Brockholst agreed and moved to Philadelphia to begin the study of law with his sister Sarah's husband, John Jay [qq.v.]. In September 1779 when Jay was appointed minister to Spain, Brockholst accompanied the Jay party to serve as his brother-in-law's private secretary.

The sea and land journeys to Madrid were hazardous and tedious. The *Confederacy*, the ship on which they began their voyage, was dismasted and blown off course, finally putting into Martinique. There the party obtained passage to Spain aboard the *Aurora*. Frightening as the voyage had been, Brockholst claimed it was preferable to traveling by land in Spain. As Brockholst complained to his mother, "Had we not provided ourselves with beds, & every thing necessary for people going thro' a desert, we should have been devoured by fleas, or perished for lack of food" (Apr. 30, 1780 [MH*i*]).

Once in Spain, Brockholst grew increasingly irritated with Jay and the men were soon feuding while Sarah Jay attempted to restore harmony. Brockholst indiscreetly related confidential matters to fellow staff members William Carmichael and Lewis Littlepage who consistently attempted to undermine Jay. In addition, Brockholst was pub-

lily critical of Congress. A distraught Sarah, fearful of what report Brockholst would give WL about the Jays, wrote a letter on June 24, 1781, to the governor in care of her sister Catharine. Her instructions were that the letter, highly critical of Brockholst, would be delivered to WL only if Brockholst attempted to defame John Jay's reputation.

Brockholst may have planned to do exactly that but his plans were forestalled when on his return voyage to America in 1782 his ship was taken by the British and he was thrown into a New York City prison. Brockholst found his cell mate was Jay's brother, the Loyalist Sir James Jay, planted by the British in the hope of obtaining information about the Jay mission. Brockholst, while critical of John Jay, had no significant information to pass on to Sir James. He was released on parole in May 1782, shortly after the arrival of the new British commander Sir Guy Carleton.

Brockholst now turned his attention to the study of law and served his apprenticeship in the Albany law offices of Peter Yates. On completing his training, Brockholst was admitted to the New York bar in 1783, shortly after word was received that John Jay, along with John Adams and Benjamin Franklin had concluded a treaty of peace with Great Britain. After the British evacuated New York on Nov. 25, 1783, Brockholst rented a room in the city from Peter Ketteltas on Wall Street. Brockholst's law practice flourished, but to his father's dismay, the next year he married "his landlady's daughter," Catharine [q.v.]. The Ketteltas family, although respected, were poor by the standards of the Livingston family.

Livingston's battles with his brother-in-law resumed once Jay returned from Europe. In 1785 Brockholst assisted Lewis Littlepage in his pamphlet war against Jay, which led to Littlepage's flight from the United States and an unsuccessful assassination attempt against Brockholst. Despite his preoccupation with the Jays, Brockholst found time to build his law practice and to engage in civic projects. In 1787 he served as one of the original trustees of Columbia College and in 1788 was one of the trustees of the New York Library Society. He was also a vice-president of the New-York Historical Society and an incorporator of the Free School Society in New York City.

Like his father, Brockholst was active in politics and in 1788 was elected to the New York State Assembly. In addition, he served as an election inspector in New York City in 1789.

Also like his father, Brockholst was an ardent Federalist who ap-

proved of the adoption of the Constitution. His views changed shortly after WL's 1790 death when Brockholst, following the lead of Robert R. Livingston [q.v.], began to oppose Alexander Hamilton, who had failed to support the Livingston senatorial candidate, James Duane [q.v.]. Brockholst, along with other members of the family, now allied with Gov. George Clinton in what is known as the Clinton-Livingston coalition. Brockholst, one of New York's leading Antifederalists, had an opportunity to attack both Jay and Hamilton in 1795 when he led the opposition to the Jay Treaty. The next year Brockholst fought a duel in Hoboken after one of his satirical pieces had prompted an opposition supporter to pull his nose and cane him. His opponent, the merchant James Jones, was killed in the duel.

Brockholst continued to be politically active and in 1802 was named to the New York Supreme Court. In 1806 Thomas Jefferson named Brockholst to the United States Supreme Court, where he wrote thirty-nine major decisions.

After Henry Brockholst Livingston lost his first wife in 1801 he married a second time to Ann Ludlow of Westchester. After the death of his second wife, Brockholst married Catherine Seaman Kortright. In all he fathered eleven children by his three wives. Brockholst died in Washington on Mar. 18, 1823, a man of wealth and position who was respected for his legal opinions (Richard A. Harrison, *Princetonians, 1769–1775* [1980]; Milton Lomask, *Aaron Burr*, 2 vols. [1979, 1982]; *Livingston Papers*, vols. 1–5).

LIVINGSTON, JAMES (1747–1832): James Livingston was born on Mar. 27, 1747, the son of John Livingston and Catherine Ten Broeck. He was descended from Robert Livingston, who was the nephew of Robert Livingston, the first lord of Livingston Manor. In 1770 James Livingston married Elizabeth Simpson. On Oct. 8, 1775, Livingston led a regiment of pro-American Canadian Whigs in the capture of Fort Chambly, Canada. As a result he was commissioned a colonel of the first Canadian regiment on Nov. 20, 1775. He retired his commission on Jan. 1, 1781. Livingston died in Schuylerville, N. Y., on Nov. 29, 1832 (Heitman, *Historical Register; Livingston Papers*, vol. 1).

LIVINGSTON, JOHANNES (1680–1720): WL's uncle Johannes Livingston was born in Albany, N. Y., the son of Robert Livingston and

Alida Schuyler Van Renselaer [qq.v.]. In 1694, at the age of fourteen, Livingston accompanied his father on a trip to England. One day out, a storm disabled the ship and for five months they drifted in the Atlantic until reaching the coast of Portugal.

In 1698 Livingston's courtship of Jacob Rutsen's daughter, a young lady reputed to have "followed the army all her life," was put to an end by his parents' threats of disinheritance. In the spring of 1701, after much parental negotiating, Livingston married Mary Winthrop, the reputedly illegitimate daughter of Connecticut governor Fitz-John Winthrop. They settled in New London, Conn., where Livingston was made a colonel of the Connecticut militia. As a wedding gift, the newlyweds' fathers set Livingston up in an illegal trade with Quebec.

On Jan. 8, 1713, Mary Livingston died, and the following October Livingston married Elizabeth Knight, the woman with whom it had been long reported he was having an affair. In October 1718 Livingston went to England to settle his accounts with the crown for victualling the garrison at Annapolis Royal, Nova Scotia. Before leaving, he sold his New London estate with the intention of settling in New York upon his return. He died in London in 1720 (Lawrence H. Leder, *Robert Livingston and the Politics of Colonial New York* [1961]; *Livingston Papers*, vol. 5).

LIVINGSTON, JOHN (1714–1786): WL's brother John was baptized in Albany, N.Y., on Apr. 11, 1714. The third son of Philip Livingston and Catrina Van Brugh [qq.v.], he graduated from Yale College in 1733. In 1738, at the age of twenty-four, Livingston was sent by his father on a grand tour of Europe. His itinerary included extensive travels through northwestern Europe. It is believed that one purpose of the trip was to recruit new tenant farmers for Livingston Manor and workers for the iron foundry there. Livingston returned to New York in 1742. On December 3 of that year he married Catharine de Peyster, the daughter of Abraham de Peyster and Margaret Van Cortlandt. They settled in New York City and had five children.

John Livingston, a merchant by trade, remained loyal to England during the Revolution. During the British occupation of New York City he was commissioned superintendent of derelict property, and one of his warehouses, the notorious Sugar House, was used by the British army as a prison. All of his sons were active Loyalists. John Livingston, nonetheless, remained in New York City after the British evacuation in

1783 and in that city he died in 1786 (Ruth Piwonka, *A Portrait of Livingston Manor*; Jones, *History of New York; Livingston Papers*, vols. 1, 5).

LIVINGSTON, JOHN HENRY (1746–1825): Born in Poughkeepsie, N.Y., John Henry was the son of WL's cousin, Henry Gilbert Livingston and Susan Conklin. John Henry was educated at Yale and earned a doctorate of theology at Utrecht. In 1770 he was ordained a minister in the Dutch Reformed Church. Dr. Livingston returned to New York, where he was instrumental in working out a compromise that ensured an independent existence for the Dutch church in America.

In 1775 John Henry married Sarah Livingston, daughter of Philip Livingston and Christina Ten Broeck. She and John Henry were second cousins. The couple fled New York City in 1776 as the British approached and spent the war years at Livingston Manor, Albany, and Poughkeepsie. In 1784 Dr. Livingston was elected by the General Synod of the Dutch Reformed Church as its first professor of theology, thereby establishing the first theological seminary in the United States. In 1787 Livingston was named principal of Erasmus School in New York City, a post he held until 1792. From 1810 until his death in 1825, he served as president of Queen's College (Rutgers) (*DAB*; Alexander Gunn, *Memoirs of the Rev. John Henry Livingston* [1856]; Ruth Piwonka, *A Portrait of Livingston Manor* [1986]; *Livingston Papers*, vols. 2–5).

LIVINGSTON, JOHN LAWRENCE (1762–1781): The youngest son of WL was born in Elizabethtown on July 15, 1762. In April 1780, at the age of eighteen, WL procured for John Lawrence a commission with the Continental navy as a midshipman aboard the *Saratoga*. During a violent storm in mid-April 1781, the *Saratoga* was separated from the fleet of merchant ships she was escorting. Only gradually did the Livingston family realize that the ship had capsized and sunk. Nonetheless, WL kept up the hope that his son was still alive and authorized fruitless searches to find him until his own death in 1790 (*Livingston Papers*, vols. 1, 3–5).

LIVINGSTON, MARY LENNINGTON (1770–1854): Mary Lennington was a servant to Rev. David Austin [q.v.] of Elizabethtown. She married William Livingston, Jr. [q.v.], WL's son, after the governor's 1790 death. Mary bore William Livingston, Jr., nine children. She moved

with him to Flatlands, Long Island. After her husband's death in 1817, she married, on Nov. 20, 1823, Richard Betts of King's County, N.Y. He died on Sept. 16, 1835. In 1850, at the age of eighty, she made a fraudulent claim for a pension based on the revolutionary war service of William Smith Livingston [q.v.] and was eventually granted the pension due to his heirs. She died in New York on July 27, 1854 (Revolutionary War pension claim, W.25321; *Livingston Papers*, vol. 5).

LIVINGSTON, PETER VAN BRUGH (1712–1792): WL's brother Peter Van Brugh was born at Livingston Manor on Mar. 13, 1712, the son of Philip Livingston and Catrina Van Brugh [qq.v.]. After graduating from Yale College in 1731, Livingston settled in New York City and entered into the mercantile business as a partner of William Alexander [q.v.], Lord Stirling. On Nov. 3, 1739, Livingston married Mary Alexander (1721–1769), the sister of William Alexander and the daughter of James Alexander [q.v.] and Mary Sprat Provoost. They had twelve children. After the 1769 death of his first wife, Livingston married Elizabeth Ricketts, the widow of William Ricketts.

Livingston acquired a fortune from privateering and from government contracts to supply British troops during the French and Indian War. Much of this wealth was later dissipated in a long chancery suit with William Alexander over the terms of their business partnership.

Livingston was involved in New York provincial politics as a member of the Presbyterian party led by WL. In the 1760s he joined WL as a protestor against Lord Grenville's projects to raise an American revenue. By 1774 he was a radical Whig, and he became a member of the committees of Fifty-One, Sixty, and One Hundred. Livingston was selected a delegate to the first New York Provincial Congress in 1775, serving in that year as its president and in the following year as its treasurer. He retired from politics in late 1776 due to ill health, moving first to Basking Ridge, N. J., and then to Elizabethtown, where he died on Dec. 28, 1792 (*DAB*; *Livingston Papers*, vols. 1, 3, & 5).

LIVINGSTON, PHILIP, SR. (1686–1749): WL's father, Philip Livingston, was born at Albany, N.Y., in 1686, the son of Robert Livingston and Alida Schuyler Van Rensselaer [qq.v.]. Philip Livingston was raised on Livingston Manor and educated by serving as an aide to his father. In May 1706 he began his political career when through his father's influ-

ence he was appointed deputy town clerk of Albany. Livingston married Catrina Van Brugh [q.v.] on Sept. 19, 1707.

Livingston's political career was actively promoted by his father. In 1709 Philip Livingston became a member of the New York Assembly representing the City and County of Albany. In 1720, through the elder Livingston's friendship with Gov. William Burnet, Philip Livingston was appointed his father's deputy secretary of Indian affairs. In September 1721 Philip Livingston received a royal commission as secretary of Indian affairs, and in 1722 he succeeded his father in that capacity. Upon losing the assembly election of 1724 to Myndert Schuyler, Governor Burnet, to appease the Livingston family, appointed Philip to his council, a post he held until his death. In 1737 Livingston was appointed one of the commissioners to run the boundary line between New Hampshire and Massachusetts.

Upon the 1728 death of Robert Livingston, Philip inherited all of Livingston Manor except for the southwest portion given to his brother Robert and later known as Clermont. A shrewd businessman, Philip as the second manor lord increased the number of manorial tenants, expanded the manor's saw and grist mills, and began the exploitation of iron-ore deposits on the manor property with the construction of the Ancram furnace around 1740.

Politically active as his father before him, Philip joined the opposition press campaign against New York's corrupt governor William Cosby, which led to the 1734 trial of John Peter Zenger for seditious libel. Although a committed imperialist, Livingston was chiefly concerned with advancing his business interests, allying with those governors who shared his views. He summarized his easy philosophy in 1737 by commenting of his family, "We change Sides as Serves our Interest best, not ye Countries."

In 1746 Livingston's advocacy of direct and forceful action against the French in Canada brought him into conflict with New York governor George Clinton. In the fall of that year, Livingston, as secretary for Indian affairs, urged Clinton to launch an immediate Iroquois-backed attack against the French. Livingston freely criticized the governor when he hesitated until the winter season made the attack impossible. In retaliation Clinton, at the urging of the Livingston family's enemy Cadwallader Colden, removed Livingston from his secretarial post.

Philip Livingston, who maintained residences at New York City and

Albany as well as the manor house, died in New York City on Feb. 4, 1749 (Patricia U. Bonomi, *A Factious People* [1971]; Lawrence H. Leder, *Robert Livingston, 1654–1728, and the Politics of Colonial New York* [1961]; *Livingston Papers*, vols. 1, 2, 4, & 5).

LIVINGSTON, PHILIP, JR. (1716–1778): WL's brother Philip was born at Albany, N.Y., on Jan. 15, 1716, the fourth son of Philip Livingston and Catrina Van Brugh [q.v.]. After graduating from Yale College in 1737, he moved to New York City and became a merchant. Livingston married Christina Ten Broeck [q.v.], the daughter of Albany mayor Dirck Ten Broeck, on Apr. 14, 1740.

Livingston was an enthusiastic advocate of public enterprises in colonial New York. He was one of the first to suggest the founding of King's College (Columbia) and favored public support of the college. His position was diametrically opposed to that of WL who, while he also favored the establishment of the college, was bitterly opposed to the use of public money for its maintenance. Philip also promoted the founding of the New York Society Library in 1754 and was a founder in 1756 of the St. Andrew's Society, one of the earliest benevolent institutions in New York City, and in 1768 of the New York Chamber of Commerce. In 1771 he was a member of the first board of governors of New York Hospital. During this period Livingston also actively participated in New York politics. He was a member of the New York City Board of Aldermen from 1754 to 1762. In 1758 he was elected to the lower house of the New York Assembly, serving until 1769. In 1768 he was chosen speaker of that body.

Like his brothers Peter Van Brugh [q.v.] and WL, Philip early opposed British taxation. In 1765 he was a member of the New York delegation to the Stamp Act Congress. In 1774 he served on the Committee of Fifty-One, which named the New York delegates to the First Continental Congress. He was also a member of the Committee of Sixty and Committee of One Hundred. He was one of the five New York delegates selected to attend the first session of Congress at Philadelphia. He served in the Continental Congress from 1774 until his death in 1778. As a member of the Continental Congress, he helped prepare the address to the people of Great Britain setting forth the grievances of the colonies. He was a member of the Board of Treasury and of the Marine Committee, and a member of the Committee on the Commercial Inter-

diction against Trade with Great Britain. In August 1776 he was among the signers of the Declaration of Independence, for which act he became known to his posterity as Philip the Signer.

Livingston was also a member of the New York Provincial Congress in 1776 and 1777. In 1777 he was chosen by the New York convention as one of the first senators to the upper legislative house under the new state constitution. With the British occupation of New York City, Livingston fled with his family to Kingston, N. Y. In October 1777 a British raid reduced that town to ashes, and he was again forced to flee. In that year, although gravely ill, he succumbed to the pleas of the New York Legislature that he return to Congress. Livingston died while attending the sixth session of the Continental Congress at York, Pa., on June 12, 1778 (Reverend Warren Robert Anthony, *Philip Livingston* [1924]; *Livingston Papers*, vols. 1, 2, & 5).

LIVINGSTON, PHILIP JOHN (1752–18?): WL's nephew Philip John Livingston was born in New York City, the son of John Livingston [q.v.] and Catherine De Peyster. He resided at Strawberry Hill, Dutchess County, N. Y. In 1773 he was appointed high sheriff of Dutchess County. In 1775 he married Frances Bayard, the daughter of Samuel Bayard.

Livingston, like his father, was a Loyalist. Holding a joint partnership with Philip P. Livingston [q.v.] in a Jamaica, W.I., estate, Livingston used the pretense of moving to that estate in 1776 to join the British army on Staten Island. In 1778 a ship carrying correspondence regarding Livingston's shares in the Jamaica estate was seized as a prize and the papers turned over to WL. In 1780 Livingston succeeded his father as superintendant of derelict property in New York, a position that earned him £250 per year. With the British evacuation of New York in 1783 he petitioned the crown for lands in Nova Scotia, Canada. It is believed that he returned to Jamaica, where he died (Jones, *History of New York*; Sabine, *Loyalists of the American Revolution*; *Livingston Papers*, vols. 2 & 4).

LIVINGSTON, PHILIP PHILIP (1741–1787): WL's nephew Philip P. Livingston was born in Albany, N.Y., on May 28, 1741, the son of Philip Livingston and Christina Ten Broeck [qq.v.]. He settled on Jamaica, W.I., where he jointly held an estate with his cousin Philip J. Livingston [q.v.]. Livingston married Sarah Johnson at St. Andrew

Parish, Kingston, Jamaica, on June 29, 1768. With the death of his father in 1778, Livingston intended to return to New York to settle family affairs. His return was delayed until 1783 when hostilities ended between England and the United States. He died in New York City on Nov. 2, 1787 (Van Rensselaer, *Livingston Family*; *Livingston Papers*, vols. 2, 4, & 5).

LIVINGSTON, ROBERT (1654–1728): WL's grandfather Robert was born on Dec. 12, 1654, in Ancram, Roxburghshire, Scotland. Robert was the fourteenth child of minister John Livingstone [q.v.] and Janet Fleeming. Robert and his mother followed his father to the Netherlands in 1664. Robert Livingston spent eight years in Rotterdam, where he was a merchant's apprentice, before he emigrated to Massachusetts in 1673. The next year he moved to Albany where, aided by his fluency in Dutch and his Anglo-Dutch mercantile connections, he established himself as a fur trader and merchant.

Robert Livingston's success in New York was ensured on July 9, 1679, when he married Alida Schuyler Van Rensselaer [q.v.], widow of Nicholas. Through his marriage, Livingston was connected with the most powerful and wealthiest families in the province. He exploited these connections to profit as an Indian trader, government contractor, politician, merchant, and money lender. Livingston further ensured his success by early allying himself whenever possible with the province's governors. In the 1680s, with the permission of Gov. Edmund Andros, he began to buy Indian land. In 1685 a patent was issued to him by Gov. Thomas Dongan for 2600 acres, the lordship and manor of Livingston.

In 1689 Livingston's political alliances led him to oppose the revolutionary government of Jacob Leisler. During Leisler's administration, Livingston fled to Connecticut for a year's self-imposed exile, returning to New York in 1691 in time to testify against Leisler, who was executed at the prompting of the anti-Leislerians.

Despite his preoccupation with Leisler, Livingston's fortunes continued to expand, primarily because of his role as government contractor. When he experienced difficulty in collecting money due him from the government, he decided in 1694 to travel to England to obtain approval of payment. He sailed on Dec. 9, 1694, taking with him his son Johannes [q.v.]. The ship soon hit a storm and lost a rudder. The crew, in

an effort to keep the ship from capsizing, cut down the main topmast. The unnavigable ship, with twenty-five people on board and short supplies, was adrift for five months until land was finally sighted on Apr. 25, 1695. The Livingstons landed in Portugal and traveled throughout that country and Spain before finally arriving in England on July 16.

Once in England, Livingston attempted to ingratiate himself with the Whigs who were in power by financing an expedition led by Capt. William Kidd to rid the Red Sea of pirates. Livingston was successful in having his requisitions approved and returned to New York in 1696, after having been named to the highly profitable post of secretary for Indian affairs on Jan. 16, 1696.

Kidd captured several Moorish merchant ships and was charged with piracy by the English government. The captain returned to New York in 1699 but refused to land in that province. He instead went to Boston, where New York's governor Richard Coote, earl of Bellomont, who also invested in Kidd's voyage, had him seized. Livingston, who put up a £10,000 bond to insure Kidd's good behavior, was terrified that his bond would be forfeited. Livingston kept his money, although Kidd lost his life.

Livingston's political fortunes continued to increase during Bellomont's administration and in 1698 he was named to the governor's council. His good fortune ended with Bellomont's death. At this time, a Leislerian majority took control of the legislature and passed an act to confiscate Livingston's estate. The confiscation act and debts still owed him by the government caused Livingston to travel once again to England in 1702, only to be captured en route by a French privateer. He and other passengers were robbed before being set adrift in a small boat. They were rescued by an English man-of-war and landed in England on July 9. Livingston secured approval for the payment of debts owed him after a lengthy stay. He returned to New York after having visited his boyhood home in Scotland. Although Livingston secured the promise of payment, his title to Livingston Manor was still clouded by the confiscation act passed in 1702. The New York Assembly in 1709 overturned the 1702 act but Gov. John Lovelace, baron of Hurley, died before the 1709 act could be confirmed by the home government. Thus Livingston's title was still uncertain.

Livingston's fortunes changed again in 1710 with the arrival in New York of Gov. Robert Hunter [q.v.]. Hunter brought with him almost 3000 of the political and religious refugees from the Palatinate who had

fled to London to escape the French army that overran their homeland. The Whig ministry planned to use some 3000 of the Palatines to establish a naval stores program in New York. Hunter bought 6300 acres on the western shore of the Hudson and another 6000 acres on the eastern shore from Robert Livingston, even though the original patent to the Manor had been for only 2600 acres and no later patents had been issued. The Palatine settlement also brought Livingston the profitable victualling contract whereby the Livingstons supplied food and other necessities to the Palatines at a highly profitable rate.

Lack of support from the home government brought the naval stores project to a close after two years. Hunter released the Palatines from their contract and was himself left with more than £20,000 of debts to London merchants and another £1000 to Robert Livingston for the victualling contract. Hunter could not pay the debt but he could approve Livingston's patent to the manor. The manor was surveyed in 1715, by which time the original 2600 acres had increased to 160,000 acres, even after 6000 had been sold to the crown. Livingston no longer pressed Hunter for payment.

The confirmation of the title gave Livingston Manor the privilege of electing an assembly representative. Predictably the first representative was Robert Livingston. In the assembly Livingston worked to implement Hunter's policies and was instrumental in securing a debt bill that paid the colony's creditors. In return, Hunter urged his London agent to secure the confirmation of the 1709 bill that had overturned the 1702 confiscation act passed by the Leislerians. The grateful Livingston formally released Hunter from his Palatine obligations.

Livingston, eventually elected speaker of the house, continued to support the policies of Hunter and his successor William Burnet. Robert Livingston retired from politics in 1726 and returned to the manor. He died in 1728 leaving his son Philip, WL's father, most of Livingston Manor except for a portion called Clermont, which was left to his son Robert, Jr. (Lawrence H. Leder, *Robert Livingston (1654–1728) and the Politics of Colonial New York* [1961]; Robert C. Ritchie, *Captain Kidd and the War Against the Pirates* [1986]; Mary Lou Lustig, *Robert Hunter, 1666–1734: New York's Augustan Statesman* [1983]; *Livingston Papers*, vol. 5).

LIVINGSTON, ROBERT, JR. (1708–1790): WL's brother Robert Livingston was born at Livingston Manor on Dec. 16, 1708, the eldest son of Philip Livingston and Catrina Van Brugh [qq. v.]. Livingston established

a mercantile business in New York City with his brother Peter [q.v.] and represented the manor in the New York Assembly from 1737 to 1758. He married Maria Thong in New York City on May 20, 1731. They had twelve children, eight of whom survived to adulthood. After the 1765 death of his first wife, he married Gertrude Schuyler [q.v.] in 1766.

With the death of his father in 1749, Livingston became third lord of Livingston Manor. His tenure as manor lord was characterized by violent conflict with his tenants, resentful at their landlord's power over them and eager to secure outright title to their farms. Dissension arose from conflicting titles to land claimed by both New York and Massachusetts. In 1751 Livingston's tenant farmers on the eastern border, led by David Ingersoll, rose in rebellion against Livingston, refusing to pay him rents. In an effort to rid themselves of Livingston's dominance, the farmers recognized the sovereignty of Massachusetts and petitioned the Massachusetts Assembly for title. The dispute persisted through most of the decade to flare up again in 1766. At this time, almost five hundred Livingston tenants again rebelled, with two hundred of them marching on the manor house to murder the landlord. Order was restored by Livingston's son Walter [q.v.], who led forty armed militiamen against the farmers, who were armed only with pitchforks and sticks.

At the outbreak of the Revolution, Livingston called a meeting of his tenants on June 14, 1775, to sign a pledge to support the Provincial Congress. Not surprisingly the great majority of his tenants became Loyalists. In May 1777 five hundred of his tenants again rose in armed rebellion against Livingston, with the vain hope that they would be reinforced by British troops. Their expectation was that a British victory would give them outright ownership of their farms. The uprising, a series of clashes between tenants and Patriot militia, was suppressed, with about three hundred tenants jailed and some of the leaders executed.

Despite his tenants' animosity, Robert Livingston remained at the manor during the war. His home became a temporary wartime refuge for many members of his family on both sides of the issue, including Loyalist William Smith, Jr. [q.v.], Robert Livingston's sister Catharine Lawrence [q.v.], who had been displaced by the hostilities, and his niece, WL's daughter Susannah [q.v.], fleeing from Loyalist raids on Liberty Hall.

After the Revolution, Livingston engaged in acrimonious disputes with his cousins, the Clermont Livingstons, over property rights. De-

spite these disputes and rising democratic values springing from the Revolution, Livingston held on to Livingston Manor as an intact feudal establishment. After his death in November 1790 the manor was divided among his five sons (Irving Mark, *Agrarian Conflicts in Colonial New York, 1711–1775* [1940]; Staughton Lynd, *Class Conflict, Slavery, and the United States Constitution* [1969]; Van Rensselaer, *Livingston Family; Livingston Papers*, vols. 1, 4 & 5).

LIVINGSTON, ROBERT R. (1746–1813): WL's cousin, Robert Robert Livingston was born in New York City on Nov. 27, 1746, the son of Judge Robert R. Livingston, of the Clermont branch of the family, and Margaret Beekman. Livingston attended King's College (Columbia), from which he graduated in 1765. He then trained in the law offices of William Smith, Jr. [q.v.], and was admitted to the New York bar in 1770. He began his law practice in partnership with John Jay. Livingston was appointed recorder of New York City in 1773, but resigned from that office in 1775 because of his sympathy for the Whig movement. He married Mary Stevens in New York City on Sept. 9, 1770. They had two daughters.

Livingston was a member of the Continental Congress in 1775. As such he was appointed to a committee to draft a declaration of independence, but he suggested postponement of the declaration. He returned to his duties in the New York Provincial Assembly before the Declaration of Independence was signed. In April 1777 Livingston was named a delegate to the New York State Constitutional Convention, and was instrumental in drafting the state's constitution. He was named chancellor of New York in 1777, a post he retained until 1801.

Livingston returned to Congress in 1779, serving until 1781. He conscientiously served on numerous committees, the most important dealing with the financial problems of the new government. He was appointed secretary of foreign affairs in August 1781. In this capacity he instituted many innovations that marked an advance in the executive machinery. He was in that office when the new nation obtained its first treaty with the Netherlands. John Jay [q.v.] replaced him as secretary in August 1783.

After the Revolution, Livingston advocated a strong central government and he worked indefatigably for New York's ratification of the new federal constitution. As chancellor he administered the presidential

oath of office to George Washington on Apr. 30, 1789. In 1790 personal animosity toward Alexander Hamilton, who had failed to support James Duane [q.v.], the family's nominee for the Senate, caused him and other members of the Livingston family to ally with New York governor George Clinton. In 1798 Livingston ran unsuccessfully for the governorship of New York. He was then appointed minister plenipotentiary to France in 1801 by President Thomas Jefferson. In 1803 he successfully negotiated with Napoleon for the Louisiana Purchase.

After his retirement from political life, Livingston took an avid interest in the arts and sciences. He was a founder of the Academy of Fine Arts in New York City and president of the Society for the Promotion of Agriculture, Arts, and Manufactures in Albany, N.Y. He took particular interest in improving domestic agriculture. He built an experimental farm at Clermont with a variety of fruit trees and vegetables, and experimented with the use of gypsum as fertilizer. He also introduced merino sheep into the Hudson valley and promoted their breeding as a way to increase domestic wool production. Fascinated by the potentials of steam power, he experimented with Robert Fulton in steam navigation, and was his partner in the construction of the first steam boat. Livingston died in Clermont, on Feb. 26, 1813 (Ruth Piwonka, *A Portrait of Livingston Manor* [1986]; *Biography of Congress*; *DAB*; George Dangerfield, *Chancellor Robert R. Livingston of New York, 1746–1813* [1960]; *Livingston Papers*, 1, 3–5).

LIVINGSTON, SARAH LIVINGSTON (1752–1814): WL's niece Sarah Livingston was born in New York City, the daughter of Philip Livingston, Jr., and Christina Ten Broeck [qq.v.]. She married Rev. John Henry Livingston [q.v.] her second cousin, at Kingston, N.Y., on Nov. 26, 1775. They were residing in New York City when the British began their occupation. She fled the city with her husband and month-old son. During the war years she resided at Poughkeepsie, N. Y., where her husband was pastor of the Dutch Reformed church. She frequently accompanied him when he preached at Livingston Manor. After the Revolution, Mrs. Livingston returned to New York City, where her husband was principal of the Erasmus School. She then accompanied him to New Brunswick, N. J., when he was named president of Queen's College (Rutgers). Sarah Livingston died at New Brunswick, on Dec. 29, 1814 (Van Rensselaer, *Livingston Family*; *Livingston Papers*, 1, 2 & 5).

LIVINGSTON, SUSAN (1755–1833): WL's niece Susan was born Apr. 30, 1755, the daughter of Peter Van Brugh Livingston [q.v.] and Mary Alexander. She married John Kean of South Carolina on Sept. 27, 1786. They had a son Peter Philip James Kean. Upon her husband's death in 1795, Susan inherited a large fortune. On July 2, 1800, she married Count Julian Ursino Niemcewicz, a penniless Polish count who had been acting as her son's tutor, after an agreement was made that he would have no claim to her fortune. In 1802 Niemcewicz returned to Poland. He returned to Elizabethtown in 1804, but left for Europe a second time in 1807, and although he lived until 1841, was never again in America.

In 1811 Susan Niemcewicz purchased WL's Elizabethtown home, Liberty Hall, from Thomas Salter and thereafter made it her residence. She had been long noted as an astute businesswomen and became active in local charities. In 1812 she was a major stockholder of the State Bank of Elizabethtown when it received its charter. She was a founder of the Female Humane Society in 1810 and first director of the Female Auxiliary Society of the American Bible Society in 1816. Susan Livingston Kean Niemcewicz died in Elizabethtown on May 14, 1833, leaving her husband, who was living in Paris, a small pension (Van Rensselaer, *Livingston Family*; Thayer, *As We Were*; *Livingston Papers*, vol. 3).

LIVINGSTON, SUSANNAH (1748–1840): WL's eldest daughter Susannah was born in New York City. She remained unmarried and at home throughout WL's lifetime. WL had ensured that his daughters received a good education, and Susannah acted as WL's personal banker and secretary.

During the Revolution, Susannah Livingston and her mother managed WL's estates. She served as a dispatcher of equipment and family news to her father. When her sister Sarah [q.v.] went abroad leaving her son Peter Augustus Jay [q.v.] behind, Susannah oversaw his education. She defended the family home during the war, using her wits to ward off British attacks. A raid on Liberty Hall in June 1780 badly frightened the family, causing Susannah to take Peter Augustus Jay to visit relatives in New York state.

In July 1783 Susannah incurred the displeasure of her father when she undertook a trip to British-occupied Long Island without his authorization. Despite this momentary displeasure with her apparent expres-

sion of independence, she remained one of WL's favorite children. WL respected her judgment and entrusted his financial affairs to Susannah. She oversaw the drafts of his will, and in the final version was left an added bequest of £500 for attending him in his failing health.

After the death of WL, Susannah remained at Liberty Hall until she married John Cleves Symmes on Sept. 10, 1794. They had no children. She moved to Cleveland, Ohio, which was named for her husband. She died there in 1840 (*Livingston Papers*, vols. 1–5).

LIVINGSTON, SUSANNAH FRENCH (“SUKEY”) (1723–1789): WL's wife Susannah French was born in New York City, the daughter of Philip French [q.v.] and Susanna Brockholst. The second of four daughters, she was baptized in the New York City Dutch Church on June 19, 1723. While she was a child, the family moved to New Brunswick, N.J., where her father owned a large estate. At the age of seven, her mother died and her father married Anne Billip Farmer, the daughter of New Brunswick's mayor. In 1741 a disastrous fire destroyed the family home, Kells Hall, and Susannah French and her family barely managed to escape with their lives. She was sent to live with her maiden maternal aunt Mary Brockholls in New York City.

Although the French family connections placed Susannah among the aristocracy of New York, her father was in financial straits. Hence Susannah French lacked many of the luxuries of her contemporaries. Her imperfect education and simple manners struck the young WL when he met her in 1744. He was enamoured by her ability to shun “those degrading pleasures with which the generality of her sex is so captivated.” That summer WL began earnestly to court Susannah but found resistance from his father Philip, who disapproved of WL's marrying a poor woman. It was not until July 1745 that the elder Livingston gave his consent, and the couple began the then customary three-year engagement before marriage. Their waiting period was shortened when at the end of 1746, Susannah found herself pregnant. The couple fled the city and were wed secretly at the Reformed Church of Acquakanonk (Passaic), N.J., on Mar. 2, 1747. Susannah French Livingston's temperament was a perfect match for WL's. Her calm manner, unbending devotion, strong religious beliefs, and strength of character helped her endure both WL's temper and his turbulent political and legal careers.

The birth in New Brunswick of the first of thirteen children left Susannah Livingston seriously ill for six months, and the child died soon

after. Upon her recovery, she returned to the home of Mary Brockholls, where she and WL resided for a year. They then moved to a residence on Water Street in New York City, where they lived until 1768. At that time they moved to a house at the corner of William and Garden streets. In 1772 the family moved to Elizabethtown, N.J., where they anticipated a period of tranquility.

At the outbreak of the Revolution, Susannah French Livingston found herself frequently separated from her husband and children. Like many wives during the war she took over the management of her husband's estate during WL's long absences from home. Throughout most of the war, she resided either at the family's Elizabethtown home, Liberty Hall, or at the family farm at Parsippany. At Liberty Hall she was forced to confront the British on several occasions. On Feb. 28, 1779, for example, British Col. Thomas Stirling searched Liberty Hall for WL and his papers, and during a British raid in June 1780 she locked herself in a bedroom with her daughters.

In the late 1780s, Susannah Livingston began to suffer long periods of illness. She died at Liberty Hall on July 17, 1789 (Klein, *Independent Reflector*; Sedgwick, *Livingston*; *Livingston Papers*, vols. 1–5).

LIVINGSTON, WALTER (1740–1797): WL's nephew Walter was born on Nov. 27, 1740, at Livingston Manor, the son of Robert Livingston [q.v.] and Maria Thong. In 1766 Livingston quelled a major tenant uprising on the manor with an armed band. He was appointed a judge of Albany County in 1774. In that year he built a mansion, Teviotdale, on the northern part of Livingston Manor, his portion of the divided tract. Livingston married Cornelia Schuyler in 1767.

Livingston was a delegate to the New York Provincial Convention from April to May 1775, and was a member of the first Provincial Congress from May to November 1775. On July 17, 1775, Livingston was appointed commissary of stores and provisions for New York by the Continental Congress. He resigned this commission on Sept. 7, 1776, and retired to his farm. He also served as deputy commissary general of the northern department of the Continental army. In 1777 Livingston was elected to the New York State Legislature, and was elected speaker of the New York Assembly in 1778. He served in the assembly until 1779. In 1781 he went into partnership with Comfort Sands in the commissary business.

Livingston was appointed a member of the New York-Massachusetts

Boundary Commission in 1784, and he served as a member of the board of regents of the University of the State of New York from 1784 to 1787. In 1784 he was elected to the Continental Congress, serving to 1785. That year he was appointed commissioner of the United States Treasury. In this capacity Livingston became involved in the ill-advised speculations of assistant secretary of the treasury William Duer. When Duer was imprisoned for debt in 1792, Livingston was forced to sell his portion of Livingston Manor to his brother Henry to protect his land from creditors. Livingston's son bought the land back three years later. Livingston retired to Teviotdale, where he engaged in plans to remodel and modernize the estate. He died in New York City on May 14, 1797 (Piwonka, *A Portrait of Livingston Manor* [1986]; *Biography of Congress*; George Dangerfield, *Chancellor Robert R. Livingston of New York, 1746–1813* [1960]; *Livingston Papers*, 1, 3–5).

LIVINGSTON, WILLIAM ALEXANDER (1757–1780): WL's nephew William was born Feb. 10, 1757, the son of Peter Van Brugh Livingston [q.v.] and Mary Alexander. A Loyalist sympathizer, Livingston went to West Florida at the outbreak of the Revolution. He later went to Jamaica, W.I. In July 1779 Livingston decided to return to New York. On his journey he was captured at sea by Americans and taken to New London, Conn. He applied for a pass from Gov. Jonathan Trumbull to go to New York, but Trumbull refused and instead sent him to New Jersey, where his family was residing. Upon reaching New Jersey, WL proposed holding Livingston for a prisoner exchange. Livingston appealed to General Washington, stating that he had returned to America to aid his country. Washington granted him a parole on Jan. 2, 1780. Livingston was killed in a duel on Aug. 1, 1780 (Fitzpatrick, *Writings of Washington*; *Livingston Papers*, vols. 3 & 4).

LIVINGSTON, WILLIAM, JR. (1754–1817): Livingston was born on Mar. 21, 1754, in New York City, the son of WL and Susannah French [q.v.]. Livingston early proved to be a problem for WL. He habitually failed to display the deference expected by his parents, was an indifferent student, displayed little ability in business, and was frequently drunk or in debt for gambling. He studied intermittently at the classical school of Joseph Periam at Elizabethtown, N.J., with the intention of attending the College of New Jersey (Princeton), but was never admitted.

At the outbreak of the Revolution, Livingston, along with his brother Henry Brockholst [q.v.], joined the Elizabethtown volunteers. He participated in the January 1776 expedition against the British supply ship, *Blue Mountain Valley*, led by his uncle, William Alexander [q.v.], Lord Stirling. With WL's election as governor of the newly formed state, William, Jr., served as his father's aide and secretary. WL appointed his son a deputy surrogate on Sept. 5, 1776, and appointed him a registrar of the admiralty court on Apr. 22, 1777. Livingston served on the admiralty court until August 1777. He was appointed secretary of the Council of Safety on Nov. 14, 1777. Despite these appointments, Livingston spent the greater part of his days in gaming and drinking, much to his father's distress. As a result, WL refused to recommend his son to any higher appointments until his son had applied himself to his studies and improved his habits. Livingston thus remained in Elizabethtown, professionally and financially dependent on his father.

Ironically, Livingston's bad habits proved to be beneficial to his father on more than one occasion. Taverns were often the source for rumors of plots, and several times during the war Livingston saved his father from capture after having overheard such plans. In June 1779, for instance, he warned WL of an attempt to kidnap him, and circulated rumours that his father was in Parsippany. When the kidnappers approached the house on the Livingston's Parsippany farm, a Patriot patrol was waiting for them.

In 1781 WL appointed Livingston surrogate of the chancery court. Livingston's continual indebtedness and illegal transactions in this office caused WL to order his son to resign his commission in July 1789. Livingston's resignation became effective in 1790. In the meantime, he had initiated an affair with Mary Lennington [q.v.], a maid of Rev. David Austin [q.v.]. In 1790 they had an illegitimate daughter. As the result of these actions, Livingston was disinherited in his father's will until the final drafts made in July 1790. Livingston married Mary Lennington sometime between 1790 and 1794. They had seven more children.

After the death of WL in 1790, Livingston took possession of the farm at Parsippany and refused to leave it until forced out by a family suit in 1792. He shortly thereafter was confined to the Newark, N.J., jail for indebtedness. Released in 1795 upon petition to the New Jersey Legislature, Livingston removed to Flatlands, Long Island. He ob-

tained an appointment as surrogate, and began to gather together for publication a collection of WL's writings. He was never able to raise the necessary subscription to see his father's works published. William Livingston, Jr., died on May 13, 1817, in Flatbush, Long Island (MHi; Nj; NNC; Van Rensselaer, *Livingston Family*; Claire McCurdy, "Domestic Politics and Inheritance Patterns, The Family Papers of William Livingston," in *The Livingston Legacy* [1987]; *Livingston Papers*, vols. 1–5).

LIVINGSTON, WILLIAM SMITH (1755–1795): Livingston was born on Aug. 27, 1755, in New York City, the son of Robert James Livingston and Susan Smith. He was descended from the nephew of Robert Livingston [q.v.], the founder of Livingston Manor. Livingston was trained as a lawyer. In 1774 he married Catherine Lott, the daughter of wealthy New York merchant Abraham Lott. They had four children.

At the outbreak of the Revolution, Livingston was appointed a major of Col. John Lasher's regiment of the New York militia in July 1776. He was appointed aide-de-camp to Gen. Nathanael Greene on Aug. 12, 1776. Livingston resigned on Jan. 14, 1777, to become a lieutenant-colonel in Col. Samuel B. Webb's Continental Regiment. Livingston was wounded near Bristol, R.I., in August 1778. He resigned from the army on Oct. 10, 1778.

After the Revolution, Livingston returned to the practice of law in New York City, where he died on June 25, 1795. It was upon William S. Livingston's military record that Mary Lennington Livingston [q.v.], the widow of William Livingston, Jr. [q.v.], based her claim to a military pension (Van Rensselaer, *Livingston Family*; Richard K. Showman, *The Papers of General Nathanael Greene*, 2 vols. [1980]; Heitman, *Historical Register*; *Livingston Papers*, vols. 1 & 4).

LIVINGSTONE, JOHN (1603–1672): WL's great-grandfather was the son of minister William Livingstone and Agnes Fleming. John was also a minister, educated at the University of Glasgow and licensed to preach in 1625. Livingstone began his ministerial career as an assistant in the parish of Torphichen. He refused to take an oath of obedience and was denied ordination until he went to Ireland, where he was ordained by Scottish ministers who omitted the English oath. Livingstone returned to Scotland but was later suspended by the bishop of Down for nonconformity. Disillusioned with British society, Livingstone decided to aban-

don his homeland and in 1636 sailed for New England on the *Eagle Wing* with 140 English and Scottish Puritans. The ship was forced back to Scotland by a storm and Livingstone put aside his plans to emigrate.

Livingstone continued to oppose episcopal forms of worship throughout the Civil War period. In 1650 he was appointed by Presbyterian church officials to negotiate with Charles II at Breda in Holland in an effort to return the king to his throne. The king promised Livingstone he would support the covenants but Livingstone did not believe the king was sincere. He consequently opposed Charles's return to power.

Livingstone's suspicions of King Charles were confirmed after the 1660 restoration. The king imposed an episcopal system on Scotland and relentlessly persecuted those Presbyterian ministers who refused to take an oath of allegiance. John Livingstone was one such minister, and his refusal brought his banishment from Scotland. Livingstone fled to Rotterdam and remained there until his death in 1672 (*DNB*; *Livingston Papers*, vol. 5).

MAYBURY (MAYBERRY), THOMAS (1738–1806): Maybury was born on Aug. 22, 1738. He entered into the iron-manufacturing business. Maybury married Cynthia Lanning on May 11, 1772, and after her death, Mary Spring (Sprong) of Maryland on Feb. 3, 1780. His second wife died within a few months of their marriage, and he then married on Mar. 12, 1782, Mary Sinclair.

Maybury was a major of the Burlington militia, with the honorary title of colonel. His ironworks at Mount Holly and at Taunton Furnace, N.J., filled orders from the Continental Congress for sheet iron. When the British occupied Mount Holly at the end of 1776, Maybury moved to his Taunton Furnace residence and abandoned the Mount Holly plant. On May 25, 1778, Maybury successfully applied to WL for permission to obtain possession of the Andover Iron Works. Under his supervision considerable quantities of pig iron were furnished to the Americans. On Oct. 5, 1778, Maybury bought the Batsto Ironworks, which he quickly resold in April 1779 for a handsome profit.

After the Revolution, Maybury moved to Pottstown, Pa., where he continued in the iron business. He died there on Mar. 4, 1806 (William MacMahon, *South Jersey Towns* [1973]; Ricord, *NJA*; *DAR*; Charles Shimer Boyer, *Early Forges and Furnaces in New Jersey* [1931]; *Livingston Papers*, vol. 2).

MCDUGALL, ALEXANDER (1732–1786): McDougall was born in the summer of 1732 in the parish of Kildalton, on the island of Islay, Scotland. He came to America in 1740 with his parents, who had hoped to settle near Fort Edwards on Lake George. When this enterprise failed, the elder McDougall became a dairyman in New York City. During the French and Indian War Alexander McDougall commanded two privateers, and this brought him a substantial fortune. At the the end of the war, McDougall, with his new found wealth, opened a store, expanded his mercantile pursuits, and became a landowner. He married Margaret Shaw in New York on Nov. 24, 1760.

McDougall was one of New York's most active agitators in the struggle against British tyranny. By 1768 he had emerged as a leader of the more moderate faction of the Sons of Liberty. His commitments were to the interests of the Livingston family, particularly Robert R. Livingston [q.v.]. He was of significant service to the Livingstons in December 1769, when the DeLancey-dominated assembly passed a £2000 appropriation to supply British troops based in New York City, a measure that outraged both radical and moderate Sons of Liberty.

On Dec. 16, 1769, McDougall, in an effort to discredit the DeLanceys, published an anonymous handbill, "To the Betrayed Inhabitants of the City and Colony of New-York." The handbill, possibly written by WL or his close friends John Morin Scott or William Smith, Jr. [qq.v.], urged a public meeting to make plans to oppose the assembly measure. The meeting was attended by 1400 people. WL, whose pen had been still following the Stamp Act agitation of 1765 and the tenant riots of 1766, also published an anonymous letter in the *New York Gazette*, reminding the masses of the cost and the inherent danger a standing army imposed on a free society.

The assembly, zealous to protect its dignity, insisted Lt. Gov. Cadwallader Colden prosecute the author and publisher of "To the Betrayed Inhabitants." McDougall was identified as the publisher and charged with seditious libel. Unwilling to post bail, he went to jail, where he happily became a martyr, identified as the American Wilkes.

The Livingston faction, which needed the support of the Sons of Liberty to regain political power in the province, took pains to be seen visiting McDougall. WL, Smith, and Scott marched in processions and published letters defending McDougall's actions. Scott served as McDougall's attorney and WL acted as Scott's associate. In a vain effort to

keep the grand jury from indicting, WL introduced as evidence other anonymous essays published in New York that were also critical of government, including his own anti-DeLancey 1757 "Review of the Military Operations." Despite the revelation, the grand jury found a true bill. McDougall pled not guilty. He was released on bail after eighty-one days in prison for lack of a witness. In December 1770 he was rejailed for contempt of the assembly. When brought before that body the assemblymen terrorized McDougall with threats of being pressed to death. He was finally released in April 1771.

jailed for contempt of the assembly. When brought before that body the assemblymen terrorized McDougall with threats of being pressed to death. He was finally released in April 1771.

McDougall went on to have a successful political and military career in the Revolution. He was a member of the first New York Provincial Congress in April 1775. McDougall was commissioned a colonel of the first New York infantry on June 30, 1775. He was promoted to brigadier general of the Continental army on Aug. 9, 1776, and to major general on Oct. 20, 1777. McDougall fought at the battle of White Plains in October 1776 and at Germantown in October 1777, but his most important service was in the highlands of the Hudson. There he succeeded Benedict Arnold in 1780 as the commander of West Point. In 1783 McDougall was appointed to a committee to present to Congress the Newburgh Addresses setting forward demands of the Continental army regulars for back pay.

After the Revolution, McDougall grew increasingly conservative in his outlook. He was elected to the Continental Congress in 1781, 1782, 1784, and 1785, but declined an appointment as the minister of marine in 1782. He was also elected to the New York Senate in 1783, serving until his death. He was an organizer of, and served as first president of, the Bank of New York. He was also the first president of the New York Society of the Cincinnati. McDougall died in New York City on June 9, 1786 (Roger J. Champagne, *Alexander McDougall and the American Revolution in New York* [1975]; *Biography of Congress*; Mark Mayo Boatner, III, *Encyclopedia of the American Revolution*, [1966]; *DAB*; *Livingston Papers*, vols. 1–4).

MCWHORTER, ALEXANDER (1734–1807): McWhorter was born on July 15, 1734. He studied at the academy at Nottingham, Md., and

then attended the College of New Jersey (Princeton), graduating in 1760. McWhorter was then named minister of the Newark Presbyterian Church, serving in this capacity until his death. In 1771 he was among the ministers who helped organize the Presbyterian Fund. He married Mary Cumming.

McWhorter accompanied General Washington's army on its retreat across New Jersey in November and December of 1776, and on its return to Morristown by way of Trenton and Princeton in January 1777. From 1778 to 1779 he served as brigade chaplain of Col. Henry Knox's artillery brigade of the Continental army. After the British evacuation of Newark, McWhorter returned to his pastorate.

After the Revolution McWhorter frequently officiated in the Elizabethtown Presbyterian Church during periods when it was without a minister. He dedicated the newly rebuilt Elizabethtown church, destroyed by the British in 1780, on Jan. 1, 1786. His renown as an orator led to numerous requests to conduct the funeral services for most of Elizabethtown's noted citizens, including the Rev. James Caldwell and W.L. McWhorter died in Newark on July 20, 1807 (Rev. Edwin F. Hatfield, *History of Elizabeth, New Jersey* [1868]; *DAR*; Heitman, *Historical Register*; Larry R. Gerlach, *Prologue to Independence* [1976]; *Livingston Papers*, vols. 1 & 5).

MONTGOMERY, JANET LIVINGSTON (1743–1828): W.L.'s second cousin Janet Livingston was born on Aug. 27, 1743, the daughter of Judge Robert Robert Livingston [q.v.] and Margaret Beekman. On July 24, 1773, Janet married Richard Montgomery, an Irish-born soldier who served the British army at the siege of Louisbourg and the captures of Martinique and Havana. The couple lived in Rhinebeck, N. Y., where Mrs. Montgomery had a small estate. Richard Montgomery was elected to the New York Provincial Congress in 1775. He was appointed a brigadier general of the Continental army on June 22, 1775, and promoted to major general on December 9. In that month he and Benedict Arnold led the attack on Quebec. Janet accompanied her husband as far as Saratoga. Montgomery died in Quebec on Dec. 31, 1775.

After the death of her husband, Janet became the most noted hostess of New York Whig society. She frequently supported petitions for commissions for those she felt worthy. After the Revolution, she retained her position in New York society and used her influence to pressure the

new government to give her relatives prominent appointments. In 1789 Janet sailed to Ireland to visit her sister-in-law, Lady Ranleagh. Upon her return she became the matriarch of the Clermont branch of the Livingstons. Janet Montgomery Livingston died on Nov. 6, 1828 (Van Rensselaer, *Livingston Family*; Heitman; *Historical Register*; George Dangerfield, *Chancellor Robert R. Livingston of New York, 1746–1813* [1960]; Charles Havens Hunt, *Life of Edward Livingston* [1864]; *Livingston Papers*, vol. 2).

MOODY, JAMES (1744–1809): Moody was born in Sussex County, N. J. He established a large farm at Knowlton in Sussex prior to the Revolution, and there he led a quiet life, taking no interest in local politics. When the war began he remained loyal to the Crown and became a victim of Patriot harrassment.

Rejecting the compulsory state oath of allegiance in 1777, Moody fled with seventy-four of his neighbors from Sussex to Bergen County. In April he enlisted as a private in Gen. Cortlandt Skinner's New Jersey Volunteers. His property was confiscated in the following year. Moody served for a year without pay, penetrating the country as a British spy and leading Loyalist parties to harrass Sussex County. In 1779 he was promoted to the rank of ensign in the first battalion of Skinner's brigade, and in June of that year led a raid on Tinton Falls, during which he seized four American officers.

In May 1780 Moody undertook the execution of Lt. Gen. Wilhelm von Knyphausen's order to capture WL and his papers. He offered a reward for WL's capture, but the plan failed. In July 1780 Moody led a more successful foray and captured eighteen Whig committeemen and militia officers. He was captured on July 21, 1780, in Englishtown, N.J., by Gen. Anthony Wayne. For security reasons, Moody was taken from one prison to another until he was transferred to West Point, N.Y. He was then taken to Washington's headquarters at Steenrapie, N.J., from where he managed to effect an escape. He was promoted by the British to the rank of lieutenant in August 1781. His most ambitious plan was undoubtedly that of capturing the papers of the Continental Congress, an effort that failed. His brother John [q.v.] was captured in the attempt and executed.

In November 1781 Moody went to England with Sir Henry Clinton. There he published his *Lieut. James Moody's Narrative of His Exertions and*

*Sufferings in the Cause of Government, Since the Year 1776* (1783). The British government awarded him £1,608 for his services. In 1786 he moved to Weymouth, Nova Scotia, Canada, where he served as a colonel in the militia. He died there Apr. 6, 1809 (*DAB*; *Lieut. Moody's Narrative* [1783, 1968]; Sabine, *Loyalists of the American Revolution*; *Livingston Papers*, vols. 2 & 4).

MOODY, JOHN (1759–1781): Moody was born in Little Egg Harbor, N. J., the younger brother of James Moody [q.v.]. Following his brother into the New Jersey Loyalist Volunteers, in the spring of 1781 he commanded a party under his brother's direction that seized Patriot mails in Pennsylvania. In November 1781 he was an accomplice in his brother's plans to break into the Pennsylvania State House in Philadelphia (Independence Hall) and carry off the books and papers of the Continental Congress. He was captured during the exploit and tried as a spy. Moody was executed in Philadelphia on Nov. 21, 1781 (Sabine, *Loyalists of the American Revolution*; *Royal Gazette*; *Livingston Papers*, vol. 4).

MORRIS, ROBERT (1734–1806): Morris was born in Liverpool, England, on Jan. 20, 1734. He joined the American branch of his father's export firm in Oxford, Md., in 1747. He briefly attended public schools, then in 1748 joined the Philadelphia shipping firm that eventually became Willings and Morris. In 1769 Morris married Mary White, the daughter of Maryland landowner Col. Thomas White.

Morris's public career began in 1765 when he signed the Philadelphia nonimportation agreement in opposition to the Stamp Act. He became a leader of the Patriot movement after the battle of Lexington in 1775. He was a member of the Philadelphia Council of Safety and appointed to the Pennsylvania Assembly on June 30, 1775, where his commercial experience was immediately brought in service as Pennsylvania's banker.

In November 1775 Pennsylvania sent Morris to the Continental Congress, where he formed a friendship with W.L. Morris signed the Declaration of Independence in August 1776. When Congress fled Philadelphia in December 1776 with the approach of the British, Morris, acting virtually alone, assumed Congress's executive responsibilities in the city. Morris signed the Articles of Confederation on behalf of Pennsylvania in 1778. He was elected to the Pennsylvania Assembly in

1778, serving until 1781. In 1779 WL sent his daughter Catharine [q.v.] out of the danger of Elizabethtown to live with the Morris family in Philadelphia. It was through Morris that Catharine met her future husband, Morris's agent Matthew Ridley [q.v.].

Morris was encouraged by WL to accept the post of superintendent of finance in 1781. Through risky financial dealings and the use of his personal credit, Morris helped finance the final battles of the war. He established the Bank of North America in January 1782 in an attempt to put America on a hard-money basis. Disgusted with the impotence of Congress and the inability of the states to redeem their debts, Morris resigned in September 1784. Morris was elected to the Pennsylvania General Assembly in 1785. He was sent as a delegate to the Annapolis Convention in 1786 and to the Constitutional Convention in 1787, where he was a vocal Federalist. In 1788 he was elected a United States senator from Pennsylvania, serving from Mar. 4, 1789, to Mar. 3, 1795, but declined renomination.

Morris's financial downfall came about following the collapse of his extensive land speculations. In 1797 Morris went bankrupt with \$3 million in unpaid debts. He was confined in a debtors' prison from Feb. 16, 1798, to Aug. 26, 1801. Morris died in Philadelphia on May 8, 1806 (*Biography of Congress; DAB; Ferguson, Papers of Robert Morris; Livingston Papers*, vols. 1–5).

**MORRIS, ROBERT (1745–1815):** Morris was the natural son of colonial New Jersey chief justice and Pennsylvania governor Robert Hunter Morris and the grandson of New Jersey provincial governor Lewis Morris. Morris was tutored in the home of Richard Salter, then boarded at Mr. Dove's school at Gloucester, N. J. He inherited his father's large estate when the elder Morris died in 1764. Robert studied law and was admitted to the New Jersey bar in September 1770. He opened his law practice in New Brunswick, N.J.

On Sept. 6, 1776, Morris was appointed clerk of the peace and pleas of Bergen County. He resigned this commission on Nov. 6, 1778. On Feb 5, 1777, Morris was chosen the first chief justice of the New Jersey Supreme Court. Although he had never previously presided over a court, Morris is credited with setting up a workable system of state courts.

Morris's compassion and sense of justice were challenged in October 1777 when he presided over mass trials of Loyalist sympathizers. The nature of alleged Loyalist crimes, and the necessities of wartime conditions, mandated that death sentences be imposed. Morris refused to impose such sentences, favoring a general policy of leniency and conciliation. He instead handed down moderate sentences. The men would be pardoned of their crimes if they enlisted in the Continental army. He resigned his commission as chief justice on May 25, 1779.

After his resignation, Morris continued to build a large law practice in New Brunswick. In 1782 he became a member of the East Jersey Board of Proprietors, and two years later served as its attorney. In 1789 he was named the first United States District Court judge for the New Jersey District. He held this position until his death in New Brunswick on June 2, 1815 (*DAB*; *Eastern NJ Proprietors*; Ricord, *NJA*; *Livingston Papers*, vols. 1 & 2).

NEILSON, JOHN (1745–1833): Neilson was born at Raritan Landing, near New Brunswick, N.J., on Mar. 11, 1745, the son of John Neilson, a physician, and Joanna Coeymans. He did his preparatory studies in New Brunswick, then attended the University of Pennsylvania. After graduation, Neilson returned to New Brunswick and established himself in the mercantile business. On Dec. 31, 1768, Neilson married Catharine Voorhees, the daughter of John Voorhees.

At the outbreak of hostilities with Great Britain, Neilson raised a militia company of which he was made the captain in July 1775. On Aug. 31, 1775, he was commissioned a colonel of a Minute Men battalion in Middlesex County. He was commissioned colonel of the second regiment of the state troops of the Continental army on Aug. 1, 1776. On December 31, he was ordered by Gen. George Washington to organize the New Jersey militia. On Feb. 18, 1777, he surprised and captured an outpost of Loyalist refugees three miles from New Brunswick. For this service he was rewarded with a promotion to brigadier general of the New Jersey militia on Feb. 21, 1777. He served at Elizabethtown under Philemon Dickinson [q.v.] from September to December 1777, and then served in Monmouth County.

In 1778 Neilson was nominated as a delegate to the Continental Congress, but he declined. The following year he was elected to the New Jersey Assembly from Middlesex County, but continued in active mili-

tary service. In 1779 and 1780 he was responsible for the construction of a number of warning beacons in the state and in 1780 he presided over the contentious court-martial of Col. Sylvanus Seely. On Sept. 18, 1780, Neilson was commissioned by Timothy Pickering as deputy quartermaster general of New Jersey for the Continental army, serving in this capacity until 1783.

After the Revolution, Neilson, while continuing to hold numerous public offices, returned to his mercantile business. In 1782 he was made a trustee of Queen's College (Rutgers), a post he held until his death. In 1787 he was elected a member of the state ratifying convention for the federal Constitution. He was a presidential elector in 1789. In 1800 and in 1801 he was elected to the New Jersey Assembly. In 1813 he was a member of the Privy Council for Middlesex County. In 1824 Lafayette, during his triumphal tour of America, presented Neilson with a sword. Neilson died in Middlesex County, on Mar. 3, 1833 (*Biography of Congress; DAB; Ricord, NJA; Livingston Papers*, vols. 1–5).

OGDEN, DAVID (1707–1798): David Ogden was born at Newark, N.J., the son of New Jersey Assembly member Col. Josiah Ogden. After graduating from Yale College in 1728, Ogden entered upon a highly successful legal career. He married Gertrude Gouverneur. As an East Jersey proprietor, he was actively engaged in land speculation. In April 1751, Ogden was appointed to the New Jersey Governor's Council, a post he held until the Revolution. He was appointed a New Jersey Supreme Court judge on Jan. 15, 1772, and associate justice of the New York Supreme Court on May 18, 1772.

Ogden remained uncommitted during the revolutionary movement until Jan. 5, 1777, when he fled to New York. The following day his house was plundered and destroyed by continental troops. His property was confiscated on June 12, 1778. In 1779 Ogden became a member of the New York Loyalist Board of Refugees. Convinced the British would ultimately win the war, he constructed a plan for the administration of the defeated colonies. His recommendations were that Parliament renounce its right of taxation over America, each colony retain a crown-appointed governor and council, and a semiautonomous American parliament be established.

In 1783 Ogden went to England as an agent for New Jersey Loyalists to prosecute their compensation claims. He claimed his own losses at

£18,414, and was awarded £9,415 by the British government. In 1790 Ogden returned to New York, settling in Queen's County. He died at Whitestone, Long Island, in 1798 (Donald L. Kemmerer, *Path to Freedom: The Struggle for Self-Government in Colonial New Jersey, 1703–1776* [1940]; Sabine, *Loyalists of the American Revolution*; *Livingston Papers*, vols. 3 & 4).

OGDEN, EUPHEMIA MORRIS (1754–1818): Euphemia was born at Morristania (the Bronx), N.Y., the daughter of Judge Lewis Morris and Sarah Gouverneur. She was the younger sister of Gouverneur and Lewis Morris. Throughout her life Euphemia maintained a friendship with WL's daughters. On Feb. 5, 1775, she married Samuel Ogden [q.v.]. They settled in Morris County, N.J., where Mrs. Ogden gave birth to twelve children. After the Revolution she moved with her husband to New York City, where she died in 1818 (Wheeler, *Ogden Family*; *Livingston Papers*, vol. 4).

OGDEN, GABRIEL (1733–1788): Ogden was born in Newark, N.J., the son of Uzal Ogden and Elizabeth Charlotte Thebaut. Gabriel went into the family's iron-foundry business, overseeing the ironworks of Ogdens, Laight, & Company at Vesuvius Furnace in Newark. Ogden married Mary Shotwell on May 26, 1753. They moved to Saddle River, N.J., where Ogden had an iron forge.

Ogden was a member of the Bergen County Committee of Correspondence in May 1775, and served as a private in the Continental army. On Sept. 6, 1777, he was appointed a justice of the peace for Bergen County and was reappointed on June 10, 1779. In 1780 Ogden was elected to the New Jersey Assembly. After the Revolution, he concentrated on expanding his iron-foundry business in Saddle River. Gabriel Ogden died in Newark, N.J., in January 1788 (DAR; *NJA* [Privy Council]; *Eastern NJ Proprietors*; Ricord, *NJA*; Wheeler, *Ogden Family*; *Livingston Papers*, vol. 2).

OGDEN, ISAAC (1740–1824): Isaac Ogden was born in Newark, N.J., the son of David Ogden [q.v.] and Gertrude Gouverneur. He attended King's College (Columbia), where he was a member of the first graduating class. Entering the legal profession, he was made surrogate of the prerogative court in 1768, and sergeant of the New Jersey Supreme

Court. Ogden married Mary Browne, the daughter of Isaac Browne, pastor of New York's Trinity Church.

Unlike his father, Isaac was an early supporter of the Patriot cause. In June 1774 he was a member of the Essex County Committee of Correspondence, and in May 1775 a delegate to the Provincial Congress. Even before independence was declared he reconsidered his commitment to the Americans as he became convinced that colonial resistance to Britain was hopeless. In August 1775 he signalled his decision with his resignation from the Provincial Congress.

Ogden opened his home to Cornwallis when the British army entered Newark in November 1776. He was arrested by the Committee of Safety and placed alternately in Morris and Essex County jails from 1776 to 1777. In January 1777 Ogden fled to New York after being warned that he would be hanged by the Continental troops when they reached Newark. He remained in New York until the end of the war.

In November of 1782 Ogden received word from General Washington that he would be allowed to retain his estate if he returned to the American fold. Ogden refused and his property was confiscated. In 1783 Isaac Ogden went to England. He was then appointed judge of the Admiralty Court in Montreal, Quebec, Canada. In 1796 he was made a judge of the Superior Court of Quebec. He died in Quebec in 1824 (*PMBH*, 3: 311; Richard P. McCormick, *New Jersey From Colony to State* [1964]; John E. Pomfret, *Colonial New Jersey* [1973]; Palmer, *Sketches of Loyalists; Livingston Papers*, vols. 1 & 3).

OGDEN, JACOB (ca. 1722–1780): Ogden was born in Newark, N. J., the son of Col. Josiah Ogden and Mary Bankes. He studied medicine and then in 1746 moved to Jamaica, Long Island, where he set up practice. He enjoyed a good reputation as a physician and published numerous scholarly letters, including “Malignant sore throat distemper” (1764). Ogden married Elizabeth Bradford, the daughter of William Bradford and Sytje Santford.

A Loyalist, Ogden was denied permission to treat the American Gen. Nathaniel Woodhull, who was wounded at Jamaica, Long Island, in September 1776 and later died of his wounds. On Sept. 3, 1780, Ogden was killed in a fall from his horse (Wheeler, *Ogden Family; Livingston Papers*, vol. 4).

OGDEN, JAMES (d.1781): Ogden, born in South River, N.J., married Catherine Pitt in November 1780. When in 1781 discontent caused the Pennsylvania line to revolt, Ogden acted as the guide for John Morris, Sir Henry Clinton's emissary, who was sent to win the loyalties of disaffected American soldiers for the British. Rather than desert to the British, the mutineers seized Ogden and Morris and turned them over to the American Gen. Anthony Wayne. A court of inquiry was ordered by William Alexander [q.v.], Lord Stirling. Ogden and Morris were tried and convicted of treason on Jan. 10, 1781, and hanged the next day (Sabine, *Loyalists of the American Revolution; Livingston Papers*, vol. 4).

OGDEN, LEWIS (1730–1798); Ogden was born in Newark, N.J., the son of Uzal Ogden and Elizabeth Charlotte Thebaut. After completing preparatory studies in Newark, he attended the College of New Jersey (Princeton), graduating in 1753. He then studied law and was admitted to the New Jersey bar. Ogden returned to Newark, where he opened his law practice. He served as clerk of the prerogative court from 1765 to 1775. Ogden married Margaret Gouverneur, by whom he had four children.

Ogden was chairman of the Newark Committee of Correspondence, a member of the Committee of Safety, and a delegate to the New Jersey Provincial Congress in 1775. On June 24, 1776, he was appointed a member of the committee that drafted the new state constitution.

In 1786 Ogden moved to New York City, where he purchased part of the old DeLancey farm, which he developed into city lots. Ogden was president of the St. Cecilia Society from about 1790 until his death. Lewis Ogden died in New York City on Sept. 18, 1798 (Wheeler, *Ogden Family; Livingston Papers*, vol. 1).

OGDEN, MATTHIAS (1755–1791): Matthias Ogden was born in Elizabethtown, N.J., on Oct. 22, 1755, the son of Robert Ogden. He was a grandson of Jonathan Ogden, one of the original associates of the Elizabethtown Purchase, a nephew of David Ogden [q.v.], and a younger brother of Rhoda Ogden Edwards, Aaron Burr's foster mother. Ogden attended the College of New Jersey (Princeton). His plans to become an attorney were interrupted by the Revolution. He married Hannah Dayton, the daughter of Elias Dayton [q.v.].

Ogden, along with his close friend Aaron Burr, participated as a bri-

gade major in the 1775 expedition to Canada. With Montgomery at the storming of Quebec, he was wounded there on Dec. 31, 1775. He was made a lieutenant colonel of the First New Jersey Continentals, on Mar. 7, 1776, and a colonel in 1777. Taken prisoner during the British raid on Elizabethtown on Oct. 5, 1780, he was exchanged in April 1781. After he returned to service, Ogden's regiment marched to Virginia and there took part in the 1781 siege of Yorktown. In April 1783 Congress granted Ogden leave from the army to visit Europe. He received the commission of brigadier-general by brevet in September 1783, but did not return to active service.

After the Revolution, Ogden began his law practice. He also entered the New Jersey Legislature. In 1789 he was a member of the Privy Council and a presidential elector. Ogden died of yellow fever on Mar. 31, 1791 (Heitman, *Historical Register; Livingston Papers*, vols. 1–5).

OGDEN, NICHOLAS (ca.1750–1812): Nicholas Ogden was born in Newark, N. J., the son of David Ogden [q.v.] and Gertrude Gouverneur. Upon graduating from King's College (Columbia) in May 1775, Ogden planned to remain in New York City, but that August was forced to leave the city after opposing mob action against Loyalist Dr. Myles Cooper. He moved to Newark, N.J., where in October 1775 he married Hannah Cuyler.

In June 1776 Ogden returned to New York City, where he was arrested as a conspirator in a plot to murder George Washington, who had established his headquarters there. Ogden was acquitted at his trial due to insufficient evidence. That December, after the British had taken New York City, Ogden joined the British army. On June 12, 1778, he was attainted by the state of New Jersey and his property was confiscated.

During the war Ogden was active in gathering supplies for the British army. In the summer of 1778 the Americans captured Ogden aboard the ship he was using to convey supplies to British troops in Georgia. Taken first to Boston, he was sent by George Washington to WL to stand trial for high treason. Ogden escaped en route to New Jersey and returned to New York City, where the British commissioned him a first lieutenant and brigade major of the Loyalist militia. He was recaptured by Americans in New Jersey in 1780, but again escaped when granted a parole.

With the British evacuation of New York City in 1783, Ogden moved

to Shelburne, Nova Scotia. He claimed a loss of £2,072, but was awarded only £50 by the British government. Ogden returned to New Jersey after the 1798 death of his father, and he died there in 1812 (William H. Shaw, *History of Essex and Hudson Counties*, 2 vols. [1884]; Palmer, *Sketches of Loyalists; Livingston Papers*, vol. 3).

OGDEN, PETER (b.1758): The youngest son of David Ogden [q.v.] and Gertrude Gouverneur was born in Newark, N. J. At the outbreak of the Revolution, Ogden was studying law in Newark. Like the majority of his family, Ogden remained loyal to England. He joined the British army in the fall of 1776, and in the following year fled to New York City. In 1778 he was appointed secretary of the Board of Police for New York City. He held this post until the British evacuation of the city in 1783, when he went to London. There in 1784 he applied to the British government for temporary assistance. In 1790 Ogden returned to the United States (Palmer, *Sketches of Loyalists; Livingston Papers*, vol. 3).

OGDEN, ROBERT. (1746–1826): Ogden was born at Elizabethtown, N.J., on Mar. 23, 1746, the son of Robert Ogden, II [q.v.], and Phoebe Hatfield. He attended the College of New Jersey (Princeton), graduating in 1765. He was one of the founders of the American Cliosophic Society in that year. After graduation, Ogden studied law under Richard Stockton [q.v.]. He was admitted to the New Jersey bar on June 21, 1770, and returned to Elizabethtown, where he established his law practice. In April 1772 Gov. William Franklin [q.v.] appointed Robert Ogden to take the place of the senior Ogden as surrogate. On May 19, 1772, Ogden married Sarah Platt. After her 1782 death he married on Mar. 12, 1786, Hannah Platt, the sister of his former wife.

Ogden, a Patriot, was disabled from military service by a fall. He moved with his family to Morristown, N.J., to escape British raids on Elizabethtown. He was commissioned a surrogate in 1776. He moved to Turkey (New Providence), N.J., in 1777. Ogden was appointed New Jersey commissary of prisoners in January 1780. In that year he was also appointed a sergeant-at-law for New Jersey.

After the Revolution, Ogden resumed his law practice at Elizabethtown. His poor health caused him to retire to a farm in Sparta, N.J. Although he declined appointments to public office, Ogden represented Sussex County in the New Jersey Assembly prior to his death,

which occurred in Sparta on Feb. 14, 1826 (Wheeler, *Ogden Family; Livingston Papers*, vols. 1, 3 & 4).

OGDEN, ROBERT, II (1716–1787): Robert Ogden was born at Elizabethtown, N. J., on Oct. 7, 1716, the son of Robert Ogden, and a cousin of David Ogden [q.v.]. Trained as a lawyer, Ogden became active in public affairs in 1748, when he was appointed a commissioner by the Elizabethtown Associates to raise money for their lawsuit against the East Jersey Board of Proprietors for ownership of Elizabethtown. Thereafter, and particularly due to his friendship with New Jersey Gov. Jonathan Belcher, he rapidly accumulated offices. He was appointed clerk of the Court of Common Pleas for Essex County in 1749; recorder for the borough of Elizabethtown in 1750; and register of the Essex County Court of Chancery in 1752. In 1761 he became a judge of the Essex County Court and a member of the Governor's Council. Ogden married Phoebe Hatfield, the daughter of Matthias Hatfield, in 1736. Among their twenty-two children, only eight of whom survived until adulthood, were Robert, Matthias, and Aaron [qq.v.].

In 1763 Ogden was appointed speaker of the New Jersey Provincial Assembly. It was in that capacity that Ogden was selected as one of the New Jersey delegates to the October 1765 Stamp Act Congress in New York. Believing that protests would be more viable if they were sent from the individual colonial assemblies rather than from an extra-legal colonial congress, Ogden refused to endorse the congress's petitions to England. His refusal caused a furor in New Jersey, and he was burned in effigy throughout the colony. As a result of the uproar, in November 1765 he resigned as assembly speaker. Despite his refusal to endorse the Stamp Act Congress's petitions, at the outbreak of the Revolution Ogden joined the Whigs and in 1776 became chairman of the Elizabethtown Committee of Safety. With the commencement of military action in Essex County he moved to Sparta, N.J. He died there on Jan. 21, 1787 (Donald L. Kemmerer, *Path to Freedom* [1940]; Thayer, *As We Were; Livingston Papers*, vols. 1–4).

OGDEN, SAMUEL (1746–1810): Samuel Ogden was born in Newark, N. J., on Dec. 9, 1746, the son of David Ogden [q.v.] and Gertrude Gouverneur. He entered business by concentrating on the Ogden family's interest in iron manufacture. By the time of the Revolution, his

ironworks at Boonton, N. J., was an important source of munitions in the middle colonies. On Feb. 5, 1775, Ogden married Euphemia Morris, the sister of Gouverneur and Lewis Morris. They had twelve children.

Unlike his father or his brothers Isaac, Nicholas, and Peter [qq.v.], Ogden was a Whig. Commissioned a captain of the first battalion in Cumberland on June 14, 1776, he rose to the rank of lieutenant colonel by June 6, 1777. His iron-works at Boonton and at Hopewell, N. J., supplied the material for the American defenses on the Hudson River at West Point, N. Y. Despite his patriotism, his family's Loyalist activities brought frequent charges that he was aiding the enemy.

After the British evacuation of New York in 1783, Ogden moved to New York City to oversee his expanding iron manufactures. He also heavily invested in the newly opened St. Lawrence lands in northern New York, acquired by treaty from the Six Nations. Canadian squatters, reinforced by the presence of British troops on his lands, prevented him from developing his investment until the troops were removed by the 1794 Jay Treaty. Thereafter the land was quickly settled, with Ogden laying out the city of Ogdensburg at the mouth of the Oswegatchie River. Ogden died in New York on Dec. 1, 1810 (*DAB*; Stryker, *Official Register; Livingston Papers*, vols. 1 & 4).

**PARKER, JAMES (1725–1797):** Parker was born in Perth Amboy, N.J., the son of East Jersey proprietor John Parker (1693–1732). Trained as an attorney, Parker established his practice in Perth Amboy, where he was also a merchant. He was elected to the board of the East Jersey Proprietors in August 1751, serving as president of the board from 1762 to 1782. Parker was justice of the peace and judge for the Court of Common Pleas for Middlesex County in 1765. In 1764 he was appointed to Gov. William Franklin's [q.v.] council, serving from 1765 to 1775. Under Franklin, Parker served as New Jersey's last provincial attorney general. On Feb. 12, 1763, he married Gertrude Skinner, the sister of Loyalist Cortlandt Skinner [q.v.].

Despite his pro-British political and marital connections, Parker attempted to remain neutral in the growing conflict between England and America. With the outbreak of hostilities he moved to his Hunterdon County farm Shipley on the road from Clinton to Pittstown. On July 23, 1777, Parker was called before the Hunterdon County Committee of Safety to take the oaths of allegiance. Refusing to do so, he was

ordered confined to within one mile of Morristown. He was brought before the committee again in August, and was bonded on parole. He was imprisoned in October in the hope that he could be exchanged for two prisoners held by the British. On Apr. 1, 1778, Parker was sent to New York to negotiate the release of British captive John Fell. Upon his return to New Jersey in May he was released to return to his estate.

At the end of the Revolution, Parker moved to Canada but returned to Perth Amboy in 1784. Upon his return, he immediately resumed his activities with the East Jersey Board of Proprietors, serving as its register from 1784 to 1797. On Mar. 23, 1786, an act of the New Jersey Legislature restored him to full citizenship. In the same year Parker was elected mayor of Perth Amboy, serving in that capacity until his death. Parker died in Perth Amboy in September 1797 (Ricord, *NJA; Eastern NJ Proprietors; Livingston Papers*, vols. 1, 2, & 5).

**PATERSON, WILLIAM (1745–1806):** Paterson was born in county Antrim, Ireland, the son of tin-plate worker Richard Paterson. In 1747 the family immigrated to America to settle first in Delaware and then Connecticut. The family then moved in 1750 to Princeton, N. J., where the senior Paterson opened a general store. After pursuing preparatory studies with Aaron Burr, Sr., Paterson entered the College of New Jersey (Princeton) in 1759. Upon graduating in 1763 he studied law under Richard Stockton [q.v.] and was admitted to the New Jersey bar in 1768. He initiated his practice in New Bromley, N.J. In 1769 he was appointed surrogate for the province. He moved to Raritan, N.J., in 1772. In February 1779 Paterson married Cornelia Bell, the daughter of Somerset County landowner John Bell.

Politically conservative, Paterson was reluctant to join the revolutionary movement, but in 1775 he served as a delegate to the New Jersey Provincial Congress. Re-elected in 1776, he served as assistant secretary and secretary of the congress in that year. From 1776 to 1777 he was a member of the New Jersey Legislative Council and Council of Safety. In 1776 Paterson was also appointed the first attorney general for the State of New Jersey.

With the signing of peace in 1783, Paterson resigned as attorney general to return to private law practice. From then until 1787 his legal competence made him one of the most sought after lawyers in America, handling some 957 cases. In 1787 Paterson returned to public service when the New Jersey Legislature selected him as a delegate to the Con-

stitutional Convention. An advocate of states' equality, Paterson presented to the convention the New Jersey Plan to protect the interests of the small states against domination by the large states. In 1789 Paterson was elected as a United States senator for New Jersey. Refusing to style himself a Federalist, he nonetheless was an avid supporter of strong central government.

Upon the death of WL in 1790, Paterson was elected to succeed him as governor of New Jersey, a post he held until 1793. That year he became an associate judge of the United States Supreme Court, in which capacity he served until his death. Paterson's contribution to New Jersey jurisprudence was considerable. He collected and collated the laws of New Jersey (1800), and his rules for practice and procedure in the state courts were adopted in 1799. Paterson died at the house of his daughter, Mrs. Stephen Van Rensselaer, in Albany, N. Y., on Sept. 9, 1806 (*DAB*; John E. O'Connor, *William Paterson, Lawyer and Statesman* [1979]; *Livingston Papers*, vols. 1-3 & 5).

PEEK (PECK, PEAK), JACOBUS (b. 1739): Peek was born in Schraalenberg (Harrington), N.J., the son of Jacobus Peek, Sr. A farmer, Peek, with his brothers David and Samuel [q.v.] were Loyalist sympathizers. Jacobus Peek's home became an underground depot for Loyalist raids against Patriots. In 1776, following a raid on Tappan, a warrant was issued for Peek's arrest. On Jan. 13, 1777, Peek surrendered to the New York militia. Paroled, he was ordered rearrested on July 10. Found guilty by the New Jersey Council of Safety, Peek was confined at Morristown. Following the confiscation of his property in 1779, Peek joined the British army as a guide. He was taken prisoner again in 1782 and tried for treason. Although he was acquitted, he was confined until October 1784. Upon his release he moved to Granville, Nova Scotia, where he petitioned the British government for his loss at £827 New York money. Peek died in Canada (*Palmer, Sketches of Loyalists; Livingston Papers*, vol. 2).

PEEK (PECK, PEAK), SAMUEL (b. 1737): Peek was born in Schraalenberg (Harrington), N.J., the son of Jacobus Peek, Sr. The owner of a ninety-six-acre farm, Peek was an officer in the Bergen County militia. He retained his commission as an officer in the militia upon its reorganization by Congress in 1775, but he refused to obey orders from the new commanding officer. In October 1776, Peek joined the British

army as a guide, causing a warrant to be issued for his arrest. He and his brother Jacobus [q.v.] surrendered to the New York militia on Jan. 13, 1777. Granted a parole, he was rearrested on July 10. His farm was confiscated in 1779. At the end of the war Peek moved to Granville, Nova Scotia, where he estimated his wartime losses at £468 (Palmer, *Sketches of Loyalists; Livingston Papers*, vol. 2).

PEMBERTON, JAMES (1723–1809): Pemberton was born in Philadelphia on Aug. 26, 1723, the son of Quaker merchant Israel Pemberton and Rachel Read. Educated in the Philadelphia Friend's School, he traveled extensively in Europe in 1748. Joining his family's shipping trade, Pemberton became wealthy. In 1751 Pemberton married Hannah Lloyd. Following her death, he married Sarah Smith in 1768, and after her death he married Phoebe Lewis Morton in 1775.

In 1756 Pemberton was elected to the Pennsylvania House of Assembly, but resigned that June due to his opposition to a war with the Delaware Indians. He was reelected to the assembly in 1765, when he opposed the Stamp Act. Despite his opposition to English policy, his pacifism during the Revolution led the Philadelphia Committee of Safety to deport him to Virginia with nineteen other Quakers.

Upon Pemberton's return to Philadelphia he devoted himself to such philanthropic pursuits as establishing the Friendly Association for Regaining and Preserving Peace with the Indians by Pacific Measures, the Philadelphia public school system, and the Pennsylvania Hospital. An opponent of slavery, in 1775 he was a founder of the Pennsylvania Society for the Relief of Free Negroes. When the society was enlarged to the Pennsylvania Society for Promoting the Abolition of Slavery in April 1787, Pemberton was one of its two vice presidents. In 1790 he succeeded Benjamin Franklin as president of the society, serving in that capacity until 1803. When in 1787 WL served on the Constitutional Convention committee to deal with the slave trade he became acquainted with Pemberton through the latter's lobbying efforts to end slavery. WL, impressed with Pemberton's logic, began a correspondence with him and was greatly influenced by Pemberton's arguments. Pemberton died on Feb. 9, 1809 (*DAB; Livingston Papers*, vol. 5).

PINTARD, LEWIS (1732–1818): Pintard was born in New York City on Oct. 1, 1732, the son of John Pintard and Catherine Carre. He received his commercial training in his father's shipping business, which he later

inherited. By the outbreak of the Revolution, Pintard was among the wealthiest merchants of New York City. He married Susan Stockton of Princeton, N. J., the sister of Richard Stockton [q.v.].

In 1775 Pintard was a member of the Committee of One Hundred. In that year the New York Provincial Congress appointed him to a committee to procure gunpowder and clothing from Europe. Pintard remained in New York City after the British occupation in 1776. The following year he was appointed American commissary to alleviate the conditions of prisoners held by the British in New York. Enduring hostility in the British-occupied city, Pintard and his nephew John worked tirelessly to ease the plight of prisoners and to secure their exchanges. In 1780 Pintard resigned his commission and retired to Basking Ridge, N. J.

At the end of the Revolution, Pintard was appointed New Jersey commissioner for liquidating state claims against the federal government. During the 1790s he suffered a series of financial losses. He moved to New Rochelle, N.Y., from where he struggled to keep his business enterprises going. In 1812 he moved to his wife's family home in Princeton, N.J., where he died at the home of his son-in-law Samuel Bayard on Mar. 25, 1818 (*DAB*; *Livingston Papers*, vols. 2 & 4).

**RICKETTS, JAMES (1754–1824):** Ricketts was born on Sept. 12, 1754, in Elizabethtown, N. J., the son of Col. William Ricketts and Elizabeth Ricketts. In 1771 he became the stepson of Peter Van Brugh Livingston [q.v.] upon Livingston's marriage to Ricketts's mother. A Loyalist, at the outbreak of the Revolution Ricketts joined the British army, where he rose to the rank of captain in the 60th Regiment of Royal Americans. In 1776 Ricketts was sent to Scotland. The next year, at Eglinton Castle on Mar. 27, 1777, he married Sarah Livingston [q.v.], the daughter of Peter Van Brugh Livingston by a previous marriage. Thus Ricketts became Livingston's son-in-law as well as his step-son.

During the war Ricketts saw most of his military action in the West Indies. In 1780 he arrived in New York City, where he was stationed until the end of the war. With the British evacuation of New York in 1783, Ricketts moved to London. By 1785 he had returned to America and settled on his family's farm in Elizabethtown. Ricketts died in Elizabethtown on Oct. 26, 1824 (*Van Rensselaer, Livingston Family*; *Thayer, As We Were; Livingston Papers*, vol. 3).

RICKETTS, SARAH LIVINGSTON (1755–1825): WL's niece Sarah was born on Apr. 30, 1755, the daughter of Peter Van Brugh Livingston [q.v.] and Mary Alexander. She married British Capt. James Ricketts [q.v.], the son of her step-mother Elizabeth Ricketts, at Eglinton, Scotland, on Mar. 27, 1777. She bore him four children.

Ricketts accompanied her husband on his military campaigns to the West Indies. In 1780, upon his transfer to New York, she moved to New York City from where, much to WL's annoyance, she sent the governor several unsuccessful petitions for passes to visit her family. With the British evacuation of New York in 1783, Mrs. Ricketts went to London where she was part of the Loyalist social set. By 1785 she had returned to America and settled on her husband's farm in Elizabethtown, where she died in 1825 (Van Rensselaer, *Livingston Family*; Morris, *Unpublished Papers of John Jay*; *Livingston Papers*, vols. 3 & 4).

RIDLEY, CATHARINE ("KITTY," "CATY") WILHELMINA LIVINGSTON (1751–1813): Catharine was born on Sept. 16, 1751, the second daughter of WL and Susannah French. Politically sensitive and astute, Catharine frequently served as the governor's secretary. With the commencement of hostilities, Catharine went to live with the family of Robert Morris in Philadelphia. She frequently acted as a conduit between WL and Morris.

On Apr. 14, 1787, Catharine married Baltimore merchant and Robert Morris's business agent Matthew Ridley [q.v.]. Ridley had a son by his previous marriage, and she had two children by him, though they did not live to adulthood. Following Ridley's Nov. 13, 1789, death, Catharine asked for and received her father's permission to return to Liberty Hall. She married John Livingston of Oak Hill on Nov. 3, 1796. Catharine died on Dec. 8, 1813 (*Livingston Papers*, vols. 1–5).

RIDLEY, MATTHEW (1749–1789): Ridley was born in England, but immigrated to America in 1770 as a factor for a London business firm. Returning to London in 1775, Ridley was active there on behalf of American prisoners. He married Anne Richardson in England in 1775. The couple removed to France in 1778.

Ridley returned to Maryland in 1779 and became associated with Mark Pringle in the firm of Ridley and Pringle. The firm was Robert Morris's [q.v.] purchasing agent in Maryland and Delaware, and was

used by Morris to procure army supplies during the Yorktown campaign. In March 1781 Maryland appointed Ridley its agent to negotiate loans with and buy supplies in France, Holland, and Spain. While in Europe Ridley was entrusted to oversee the education of Morris's two eldest sons. Anne Ridley died in Paris on Jan. 21, 1784.

Ridley returned to Maryland in 1785. On Apr. 14, 1787, he married WL's daughter Catharine [q.v.], whom he had met through his connection with the Morris family. They settled in Baltimore where Ridley died on Nov. 13, 1789 (Ferguson, *Papers of Robert Morris; Livingston Papers*, vols. 4–5).

RIVINGTON, JAMES (1724–1802): Rivington was born on Aug. 17, 1724, in London, England, the son of publisher and printer Charles Rivington and Eleanor Pease. Rivington married Elizabeth Mynshull in England on Sept. 14, 1752. After her 1769 death in New York he married Elizabeth Van Horne, the widow of Cornelius Van Horne.

Rivington entered his father's printing business upon the death of the elder Rivington in 1742. In 1756 he entered into a partnership with London bookseller James Fletcher. The bankruptcy of the firm due to Rivington's extravagant life-style caused him to immigrate to America in 1760. He established book businesses in Philadelphia, New York City, and Boston. After 1765 he concentrated his business in New York City, where in March 1773, he began publishing the *New York Gazette*.

As revolutionary fervor mounted, Rivington attempted to keep his newspaper neutral, but by the end of 1774 his publication of Loyalist letters inflamed the Whigs. In November 1775 a mob destroyed his press, and in January 1776 Rivington sailed for England. The following year he was appointed the king's printer for New York and returned to begin publication of *Rivington's Loyal Gazette*. In 1778 the name of the paper was changed to *The Royal Gazette*. America's first daily, the newspaper became the major mouthpiece for British propaganda in America and frequently included captured American correspondence.

Despite his Loyalist activities, Rivington remained in New York City after the British evacuation in 1783, protected from mob action by a guard. Unknown to most Americans he had served as a spy for George Washington since 1779, sending the general valuable information about British activities around New York. After the war, Rivington attempted to reactivate his newspaper as *Rivington's N.Y. Gazette and Universal Advertiser*, but the paper failed due to public hostility. Rivington con-

tinued his book-selling business, but in 1797 was confined to prison for the debts of his sons, whose obligations he had assumed. Released from prison in 1801, he joined the mercantile firm of his son James. Rivington died in New York City on Jan. 31, 1802 (Kenneth Scott, *Rivington's New York Newspaper: Excerpts From a Loyalist Press* [1973]; *Livingston Papers*, vols. 1–5).

ROMEYN (ROMINE), ELIAS: Romeyn was born in Hackensack, N.J. He was a captain in the Bergen County militia, stationed at New Bridge and at Liberty Pole (Teaneck). In September 1778 a British force overwhelmed Romeyn's company at Liberty Pole, forcing them to withdraw to Paramus. In April 1782 Romeyn was court-martialed for taking bribes from Loyalists. Found guilty, he was dismissed from military duty (Adrian C. Leiby, *The Revolutionary War in the Hackensack Valley* [1962]; *Livingston Papers*, vol. 4).

ROMEYN (ROMINE), NICHOLAS ("CLAS," "KLAAS," "NICK") (d.1785): Romeyn was born in Hackensack, N. J., the son of Nicholas Romeyn and Rachel Vreeland. He was the brother of Rev. Theodore (Dirck) Romeyn [q.v.]. Trained as a physician, he settled in New Barbadoes, N.J., where he owned a large farm. On Aug. 22, 1746, he married Elizabeth Kipp in the Hackensack Reformed Church. During the Revolution, Romeyn served as a private in the Bergen County militia. He died in New Barbadoes, on Apr. 15, 1785 (Stryker, *Official Register*; Ricord, *NJA*; *Livingston Papers*, vol. 4).

ROMEYN (ROMINE), THEODORE ("DIRCK") (1745–1804): Romeyn was born in Hackensack, N. J., on Jan. 12, 1745, the son of Nicholas Romeyn and Rachel Vreeland. Romeyn showed religious inclinations at an early age and at seventeen made a public profession of faith. He began preparing for the ministry under his brother Rev. Thomas Romeyn, pastor of the Dutch Reformed Churches on the Delaware, and later with Rev. John M. Goetschius, pastor of the Hackensack Reformed Church. He entered the College of New Jersey (Princeton), from which he graduated in 1765. He was ordained a Dutch Reformed minister in May 1766 and served the three Reformed churches in Ulster County, N.Y. On June 11, 1767, he married Elizabeth Brodhead in Ulster County.

In 1775 Romeyn accepted the call of the Hackensack and Schraalenberg, N.J., Reformed churches. Leading his congregations in a move-

ment for independence from the Classis of Amsterdam and European theological domination, Romeyn became a target of Loyalist hostility. In November 1776 his home was raided and plundered. Rather than give up his ministry, Romeyn thereafter hid from Loyalists with a different member of the congregation each night throughout the war while continuing to preach. In addition to pastoral duties, Romeyn sent regular reports on British troop movement to the American military.

After the Revolution, Romeyn became minister of the Schenectady, N. Y., Reformed Church in 1784. He played an instrumental role in the founding of Schenectady Academy (Union College) in 1785. His educational efforts led to his being named a New York State regent in 1787, a post he held until 1796. In 1794 Romeyn became a member of the First General Synod of the Dutch Reformed Church in America, which established the American Reformed Church independent of the Classis of Amsterdam. Romeyn died in Schraalenberg, N. J., on Apr. 16, 1804 (James McLachlan, *Princetonians, A Biographical Dictionary, 1748–1785* [1976]; *Livingston Papers*, vol. 4).

SCOTT, JOHN MORIN (1730–1784): WL's friend John Morin Scott was born in New York City in 1730. After being educated in New York City common schools he entered Yale College, from which he graduated in 1746. Scott then studied law with the elder William Smith in New York City. He was admitted to the New York bar in 1752 and commenced his practice in New York City. He married Helena Rutgers, the daughter of a wealthy merchant.

In 1752 Scott joined WL and William Smith, Jr. [q.v.], to form the New York "triumvirate," heading the Whig-Presbyterian opposition to the DeLancey-Anglican party. In that year Scott wrote three essays under the name "X" for the *Independent Reflector*, and co-wrote two other essays with WL and Smith. The triumvirate began their political activities by successfully opposing the plan to fund the Anglican-backed King's College (Columbia) with public tax money. Scott served as New York City alderman from 1756 to 1761.

Like WL Scott, one of the more radical leaders in the prerevolutionary era, opposed the 1765 Stamp Act in print, using the pseudonym "Freeman." He was one of the founders of the Sons of Liberty and a member of the New York General Committee when hostilities broke out in 1775. He was elected to the New York Provincial Congress that year, serving as a leader of its radical faction to 1777. On June 9, 1776,

Scott was commissioned a brigadier general of the New York militia. In that capacity he fought at the battle of Long Island. He was wounded at the battle of White Plains on Oct. 28, 1776, but continued his military activities until March 1777.

In 1776 Scott was made a member of the committee to draw up the New York state constitution. The following year he was elected associate justice of the Supreme Court of New York, but declined to accept the position. In that year he ran unsuccessfully for governor of New York against George Clinton and Philip Schuyler. From 1777 to 1782 Scott, as a member of the New York State Senate, drew up and introduced New York's 1778 Bill of Attainder and Confiscation. He was secretary of state of New York from 1778 to 1784. Scott served in the Continental Congress from 1780 to 1783. Like WL, Scott held extensive acreage in Vermont under New York titles that he lost when Vermont ignored New York claims. Scott died in New York City on Sept. 14, 1784 (Dorothy Rita Dillon, *The New York Triumvirate: Study of the Legal Careers of William Livingston, John Morin Scott, and William Smith, Jr.* [1949]; *Biography of Congress; Livingston Papers*, vols. 1, 3–5).

SCUDDER, JOHN (d. 1791): Scudder was born in Westfield, Elizabethtown, N. J., the son of John Scudder. A member of the Essex County Patriot militia, Scudder was commissioned a captain of Col. Moses Jacques' regiment in May 1779. He was then promoted to captain in Richard Cox's company of the third battallion, second establishment, New Jersey state troops. On Mar. 28, 1781, Scudder was captain of one of the four companies in the defense of Essex County. After the Revolution, Scudder returned to farming. He died in Westfield, on Mar. 29, 1791 (Stryker, *Official Register*; Eli F. Cooley, *Genealogy of Early Settlers in Trenton and Ewing* [1883]; Ricord, *NJA; Livingston Papers*, vol. 3).

SCUDDER, NATHANIEL (1733–1781): Scudder was the son of Jacob Scudder and Abie Rowe, who moved from Huntington, Long Island, N.Y., to Freehold, N.J., shortly after his birth. The family eventually settled at Scudder's Mills, just northeast of Princeton. Scudder entered the College of New Jersey (Princeton), from which he graduated in 1756. He studied medicine and commenced a medical practice in Freehold. In 1766 Scudder, one of the founding members of the New Jersey Medical Society, gained a certain amount of notoriety as an early advo-

cate and practioner of smallpox inoculation. In 1752 Scudder married Isabella Anderson, who gave birth to five children.

Nathaniel Scudder in June 1774 was a member of the Monmouth County committee that drafted resolutions in support of Boston's defiance of Great Britain, and in December he was appointed to the county's Committee of Observation and Inspection. At the beginning of hostilities he was commissioned a lieutenant colonel in the first New Jersey Regiment, rising to full colonel in November 1776. That year Scudder became a member of the New Jersey Legislative Council, in which office he served until November 1777.

In 1778 Scudder was elected a delegate to the Continental Congress, where he was appointed to a special committee to supervise the quartermaster department. Scudder resigned from Congress in 1780 due to the personal expenses holding the position entailed, and in October 1780 was elected to the New Jersey General Assembly. On Oct. 17, 1781, Scudder led an attack by Freehold residents on a party of Loyalists who had kidnapped six Patriots. In the ensuing battle Scudder was shot through the head, thus becoming the only member of the Continental Congress to die in battle during the Revolution (James McLachlan, *Princetonians, A Biographical Dictionary, 1748-1785* [1976]; *Livingston Papers*, vols. 1-4).

SCUDDER, WILLIAM (1739-1793): Scudder was born on Apr. 6, 1739, in New Brunswick, N. J., the son of Jacob Scudder and Abie Rowe. Scudder, a farmer and a miller, married Hannah Skelton on Apr. 29, 1779, and after her death, Sarah Van Dyke.

With the outbreak of hostilities in 1776, Scudder was made a captain of the second regiment of the Middlesex militia. He was transferred to the third regiment, Middlesex militia, on Aug. 9, 1776. Rising from first major to lieutenant colonel, he served to 1783. In this capacity he was on active duty at Elizabethtown from September to October 1777, and at Red Bank in November of that year, and at Monmouth just prior to the battle there on June 28, 1778. In 1779 WL refused Scudder's request to take a leave for one month, commanding him to return to Elizabethtown. In June 1780 Scudder fought at the battle of Springfield, under Brig. Gen. Nathaniel Heard.

Scudder was a member of William Chamberlain's court-martial board in March 1781. From 1778 to 1781 Scudder served as commissioner and

sales agent of forfeited estates. After the Revolution, he was made a trustee of the College of New Jersey (Princeton) in 1786, serving until his death. Scudder died in Middlesex County on Oct. 31, 1793 (Heitman, *Historical Register*; Ricord, *NJA*; *DAR*; *Livingston Papers*, vols. 1–4).

**SIMCOE, JOHN GRAVES (1752–1806):** Simcoe, born in Great Britain, attended Eton and then Merton College, Oxford. He was made an ensign of the thirty-fifth regiment of the British army in 1771. Promoted to captain in 1775, Simcoe accompanied the regiment as an adjunct and landed at Boston on the day of the battle of Bunker Hill. He saw active service around Boston in 1775. That year he purchased command of a company of the fortieth foot regiment. On Sept. 11, 1777, he was severely wounded at the battle of Brandywine.

On Oct. 17, 1777, Simcoe was appointed commander of a newly formed loyal provincial corps named the Queen's Rangers. He led this unit of Loyalist horse and foot troops in March 1778 skirmishes at Quintan's and Hancock's bridges in New Jersey. Simcoe's men inflicted heavy losses on New Jersey troops in the ambush at Hancock's Bridge. In May 1778 Simcoe led the Rangers in a skirmish at Crooked Billet, Pa., before taking part in the June battle at Monmouth, N.J. He was promoted to lieutenant colonel in June 1778. In October the following year Simcoe led his mounted raiders in an attack on Somerset and Middlesex counties in New Jersey. During a skirmish on Oct. 28, 1779, Simcoe's horse was shot from under him. His thigh was broken in the fall from the horse and he was seized by the New Jersey militiamen. Held in close confinement at WL's order in retaliation for British mistreatment of American captives, Simcoe remained a prisoner of war until Dec. 31, 1779, when he was paroled. He was exchanged for Capt. Nathaniel FitzRandolph in the spring of 1780.

Simcoe was promoted to full colonel of the British army on Dec. 19, 1781. That month he returned to England. He was elected to Parliament as a member from Cornwall in 1790 and was appointed the first governor of Upper Canada in 1792, serving until 1794. On Oct. 3, 1794, Simcoe was appointed commander of recently captured Santo Domingo and given the rank of major general. In July 1797 he returned to England, and on Oct. 3, 1798, he was appointed lieutenant general. In 1806 he was named commander in chief of India, but died on Oct. 26, 1806, before assuming office (*DNB*; *Livingston Papers*, vols. 2 & 3).

SKINNER, CORTLANDT (1727–1799): Skinner was born on Dec. 16, 1727 (O.S.), in Perth Amboy, N.J., the son of Anglican minister Rev. William Skinner and Elizabeth Van Cortlandt. After studying law under David Ogden [q.v.], Skinner commenced his legal practice in Perth Amboy. In 1750 he was appointed a justice of the peace for Middlesex County. Thereafter he held many political offices. Skinner was attorney general of New Jersey from 1754 to 1757. He became city recorder of Perth Amboy in 1765. A member of the New Jersey Assembly from 1765 to 1776, he was speaker of the house from 1766 to 1770 and from 1772 to 1776. In 1752 Skinner became a member of the East Jersey Proprietors, serving as vice president until 1775. On Nov. 30, 1751, Skinner married Elizabeth Kearny. They had thirteen children.

In August 1775, at the commencement of hostilities with England, the Continental Congress offered Skinner command of the New Jersey provincial troops with the rank of major general. Skinner refused this position and made his Loyalist sentiments known. In January 1776 he was forced to flee New Jersey and take refuge aboard the British man-of-war *Duchess of Gordon*. Thereafter he formed the New Jersey Loyalist Volunteers, also known as Skinner's Greens, which became the largest Loyalist unit raised during the war and one of Great Britain's most effective fighting forces in America. On Sept. 4, 1776, British commander Sir William Howe commissioned Skinner as brigadier general and authorized him to recruit six battalions of 500 men each. Skinner remained in command of the New Jersey volunteers until 1782.

With the evacuation of New York by the British, Skinner went to England where he applied to the government for his personal losses. Claiming a loss of £10,382, he was awarded £5,169 and a pension of £500 per annum. Skinner died in England on Mar. 15, 1799 (Palmer, *Sketches of Loyalists; Eastern NJ Proprietors; Livingston Papers*, vols. 1, 2 & 4).

SKINNER, STEPHEN (d. 1809): Skinner was born in Perth Amboy, N.J., the son of Anglican minister Rev. William Skinner and Elizabeth Van Cortlandt. Although Skinner like his brother Cortlandt [q.v.] was trained as an attorney, he engaged chiefly in trade. He was a member of the East Jersey Proprietors and a judge of the Middlesex County Court of Common Pleas. In 1763 he was appointed treasurer of the Eastern Division of New Jersey. Skinner married Catherine Johnson in Perth Amboy on Oct. 10, 1761.

As treasurer of East New Jersey, Skinner was involved in a major

confrontation between royal governor William Franklin [q.v.] and the state assembly. On July 21, 1768, more than £6,500 in proclamation money was stolen from Skinner's home. Skinner's deposition explaining the theft was accepted by Governor Franklin and the council, but the assembly thereafter requested that the treasurers of East and West Jersey each post a security bond of £10,000. Skinner voluntarily complied, but in October 1770 the assembly demanded that he repay the sum taken from his home. The assembly rejected Skinner's petition for relief in 1772, and on September 18 demanded that Franklin relieve him of his duties. Franklin, with the support of the Legislative Council, refused, angering the assembly members. Skinner finally resigned as treasurer of East New Jersey on Feb. 23, 1774.

Following the 1776 flight of his Loyalist brother Cortlandt from New Jersey, Skinner moved from Perth Amboy to Newark. In March 1776 he embarked with his family on a brig, but was arrested on the order of WL and taken before the Provincial Congress at Trenton. Released on parole in July 1776, he was confined to house arrest in Newark. When the British occupied Newark in December of that year, he became a guide and commissioner for enlisting Loyalist volunteers in the British army. Skinner fled to New York City in the spring of 1777, and his New Jersey properties were confiscated; they were forfeited in 1784. He was commissioned a major in the British army in 1778.

With the British evacuation of New York in 1783, Skinner went to England. He collected a pension of £180 per annum from the British government, and claimed a loss of £6,975, for which he received £4,764. He was granted land in Nova Scotia in 1783 (Sabine, *Loyalists of the American Revolution*; Ricord, *NJA*; Palmer, *Sketches of Loyalists*; *Livingston Papers*, vols. 1 & 4).

SKINNER, THOMAS (b.1725): Skinner was born in New York City, but later moved to Perth Amboy, N.J. A baker by profession, he was elected sheriff of Middlesex County. Skinner married Elisabeth Hubbell of Elizabethtown on Feb. 2, 1750.

On July 9, 1776, Skinner was arrested and examined by the Whigs at the orders of George Washington. He was confined at Cranbury, N. J., until August 1, and his full civil rights were restored only after he took an oath of allegiance to the United States on August 3. Despite his apparent conversion to the American cause, he moved to New York City when the British evacuated Perth Amboy. In New York, he reestab-

lished his baking business. Of his three sons, one fought for the British and two others fought with the Americans. When the British evacuated New York in 1783, Thomas Skinner sailed for England. Skinner, who estimated his loss at £1,348, was awarded £750 by the British (Jones, *History of New York*; Palmer, *Sketches of Loyalists*; Ricord, *NJA*; *Livingston Papers*, vol. 1).

SMITH, BELCHER PEARTREE (1756–1787): Smith was born in New York City on Oct. 25, 1756, the son of William Peartree Smith [q.v.] and Mary Bryant. He grew up in Elizabethtown, N.J., where his family had moved when he was one year old. He entered the College of New Jersey (Princeton), from which he graduated in 1773. He thereafter studied law.

During the Revolution Smith worked as a clerk for Gen. William Maxwell in Elizabethtown, N. J., and then as a clerk in the Office of the Secretary of Congress in Philadelphia. Unable to procure a higher appointive office, he retired on Apr. 17, 1779, and returned to Elizabethtown. On Jan. 22, 1780, Loyalist troops led by Cornelius Hetfield captured the Continental army garrison at Elizabethtown, set fire to the town, and carried off Smith. He was taken to Long Island where he was held a prisoner by the British until June of that year. After his release he returned to Elizabethtown, where he died on May 10, 1787 (*JCC*; Thayer, *As We Were*; Elias Boudinot, *The Life, Public Services, Addresses and Letters of Elias Boudinot* [1896]; *Livingston Papers*, vol. 3).

SMITH, THOMAS (1734–1800): Smith was born in New York City in 1734, the son of Judge William Smith, Sr., and Mary Hett. He was the brother of John, Joshua Hett, and William S. Smith [q.v.]. Trained as an attorney, Smith, with WL, John Morin Scott [q.v.], and his brother William, was a leader of New York's Presbyterian faction. An essayist, Thomas Smith contributed articles to the *American Whig* in 1770.

As a member of first and second New York Provincial Congresses, Smith led the movement to send New York delegates to the Continental Congress in March 1775. In April he headed a group that sent provisions to Patriots in British-occupied Boston. In April 1776 Smith permitted Gen. Horatio Gates to stay at his New York City residence. To escape the British occupation of New York City, Thomas Smith retired first to his farm at Haverstraw, N.Y., and then, in 1777, to Livingston Manor.

Throughout the war Smith maintained a secret correspondence with his Loyalist brothers William, Jr., and Joshua Hett. One of his letters was intercepted by Patriots at Kakiat, N.Y., in July 1779, placing Smith under constant suspicion thereafter. On Sept. 22, 1780, Smith's Haverstraw residence was the meeting site for Benedict Arnold and John André, as they planned the British seizure of West Point and the capture of George Washington.

Near the end of hostilities, Smith undertook the training of law students, including Aaron Burr who joined Smith in 1781 at Haverstraw to prepare for admission to the New York bar. Smith moved to Acquakenonk, N.J., in 1782 and here he oversaw the management of the American properties of his brother William. Holding land in Vermont, Thomas Smith conveyed 9,500 acres of this grant to William Smith's wife and children in 1789. Smith died in New Jersey (Jones, *History of New York*; L.T.S. Upton, *The Loyal Whig: William Smith of New York and Quebec*, [1969]; *Livingston Papers*, vols. 1, 4 & 5).

SMITH, WILLIAM PEARTREE (1723–1801): WL's close friend William Peartree Smith was born in New York City. He attended Yale College, then studied law. He never entered the legal practice as he became independently wealthy with the death of his father. On May 12, 1745, Smith married Mary Bryant in New York City, the elder daughter of William and Eleanor Bryant. Their children included Belcher Peartree Smith [q.v.], William Pitt Smith, later president of Columbia, and Catherine Smith, who married Elisha Boudinot [q.v.].

Smith was one of the projectors of the College of New Jersey (Princeton), and was named a trustee at its incorporation in 1748. He was also a charter member of the American Philosophical Society when it was founded in Philadelphia. Smith, a member of the Whig Club in New York City, was a minor contributor to the *Independent Reflector* in 1752–1753, and to the *Watch Tower* in 1755. Smith purchased New Jersey governor Johnathan Belcher's Elizabethtown mansion when the latter died in 1757. Smith's relocation to Elizabethtown, where he served as mayor, was one of the reasons WL chose the town for his 1772 retirement. In 1759 Smith was appointed a judge of the New Jersey Court of Vice-Admiralty, and in 1770 he was appointed a judge of the court of oyer and terminer. Smith served in these offices until 1774.

Smith was appointed chairman of the Essex County Committee of Correspondence in 1774, and in 1775 was a representative to the New

Jersey Provincial Congress. In 1777 Smith became a member of the New Jersey Council of Safety. In February 1780 a British raiding party looted and nearly destroyed his mansion, causing damages worth £899. That May he put his Elizabethtown property up for sale and moved to Newark, N.J.

The end of the Revolution in 1783 found Smith's once considerable estate greatly reduced. He nevertheless was an early investor in Ohio lands and in the Society for the Promotion of Manufactures. Smith also continued his public activities and was made a judge of the court of common pleas in 1789. Smith died on Nov. 20, 1801, in Newark (Thayer, *As We Were*; Ricord, *NJA*; George Adams Boyd, *Elias Boudinot: Patriot and Statesman, 1740–1821* [1952]; *Livingston Papers*, vols. 1, 2 & 5).

SMITH, WILLIAM S., JR. (1728–1793): WL's law partner William Smith was born in New York City on June 18, 1728, the son of Judge William Smith and Mary Hett. Smith studied at Yale College, from which he graduated in 1745. He then studied law in the office of his father, where WL also clerked. Upon Smith's admission to the New York bar in 1750 he opened a law practice in partnership with WL. By 1752 Smith was the leading lawyer in New York. Smith, with WL and John Morin Scott [q.v.], formed the New York "triumvirate," the group that led the Whig Presbyterian party in opposition to the DeLancey-Anglican party. A noted essayist and historian, Smith wrote such works as *The History of the Province of New-York* (1757) and contributed anonymously to numerous New York papers. He was appointed a justice of the province in 1763, and in 1767 he was appointed to the New York Council. Smith married Janet Livingston, the daughter of James Livingston, on Nov. 3, 1752.

At the outbreak of the Revolution, Smith was undecided as to which side he belonged. With the British occupation of New York in August 1776, Smith retired with his family to Livingston Manor. Convinced that the cause of independence was hopeless, Smith, on July 7, 1777, refused for the third time to take the oath of allegiance to the State of New York. He was consequently placed on a list of suspected persons and paroled to Livingston Manor. In 1778 Smith was banished behind British lines, and in August returned to New York City. On May 4, 1779, he was appointed royal chief justice of New York and councillor to the Commission for Restoring the Peace, serving as unofficial advisor to British commanders Sir Henry Clinton and Sir Guy Carleton.

With the British evacuation of New York in 1783, Smith sailed for England with Carleton. In 1784 he petitioned the British government for losses estimated at £21,375, and back salary for the loss of his offices. Despite his petition, it appears that his property in America was never attained. His brother Thomas [q.v.] continued to oversee Smith's estate, including a substantial amount of acreage in Vermont. On June 21, 1785, Smith was appointed chief justice of Quebec. He died in Quebec on Dec. 3, 1793 (Sabine, *Loyalists of the American Revolution*; Jones, *History of New York*; L.T.S. Upton, *The Loyal Whig: William Smith of New York and Quebec* [1969]; *DAB*; *Livingston Papers*, vols. 1 & 4).

SMYTH, FREDERICK (ca. 1732–1815): Smyth was probably born in London, England, where he was an attorney. In July 1764, the Board of Trade appointed him to be the chief justice of New Jersey and gave him a seat on Gov. William Franklin's council. Smyth arrived in New Jersey and took his oaths of office in November 1764. The following year during the Stamp Act crisis he was accused of seeking the office of stamp collector, a charge he denied. In 1773 Smyth was one of the commissioners to inquire into the burning of the *Gaspee* by a group of Rhode Island rebels.

A staunch supporter of Great Britain, Smyth fled to New York when the Americans seized the government of New Jersey in 1776. He later served in Philadelphia as an agent to recover debts owed to English merchants and for Loyalist claims. At the end of the Revolution, Smyth remained in Philadelphia, where he had married, receiving a pension from the British government of £240 per year. He died in Philadelphia in 1815 (Larry R. Gerlach, *Prologue to Independence*, [1976]; Ricord, *NJA*; Palmer, *Sketches of Loyalists*; *Livingston Papers*, vol. 5).

SMYTH (SMITH), JOHN (1722–1786): Smyth was born in Perth Amboy, N.J., the son of Lawrence Smyth and Margaret Johnston. Trained as an attorney, Smyth was appointed clerk of the Court of Common Pleas for Middlesex County in 1747, surrogate for East Jersey in 1762, examiner for the chancery court in 1771, and treasurer of East New Jersey in 1774. A member of the East Jersey Proprietors, he served as its registrar from 1747 to 1783. Smyth married his cousin Margaret Johnston (Johnson) in Perth Amboy on June 9, 1750. Her sister Catharine married Stephen Skinner [q.v.] in 1761.

On July 6, 1776, Smyth, a Loyalist, was taken prisoner by Gen.

Nathaniel Heard. Smyth was released on parole at the instigation of WL. When the British army arrived at Perth Amboy in November 1776, Smyth was appointed a commissary for administering oaths to the crown. Smyth withdrew to New York City with the British evacuation of Perth Amboy on June 30, 1777, taking with him the records and accounts of the East Jersey Proprietors. He retained the records, despite numerous attempts by the proprietors and WL to secure their return. Smyth was appointed treasurer of New York City in that year.

With the British evacuation of New York in 1783, Smyth went to London, again carrying with him the East Jersey Proprietors' books, which he refused to return until 1785. Although he had been granted land in Nova Scotia in 1783, Smyth settled in England, where he was given a yearly pension of £150 sterling by the British government. Smyth died in London on Jan. 16, 1786 (Palmer, *Sketches of Loyalists; Eastern NJ Proprietors*; Ricord, *NJA*; Leonard Lundin, *Cockpit of the Revolution* [1940]; *Livingston Papers*, vols. 1, 4, & 5).

STEBEN, FRIEDRICH WILHELM AUGUSTUS, BARON VON (1730–1794): Steuben was born in Magdeburg Fortress, Prussia, the son of army engineer William Augustin von Steuben and Maria Justina Dorothea von Jagow. His early youth was spent in Russia. At the age of ten he returned to Prussia with his father and entered a Jesuit school in Breslau. He was made a Prussian army officer at the age of seventeen, serving in an infantry unit and as a staff officer during the Seven Years' War. Steuben then served as a member of the Prussian General Staff with a number of diplomatic assignments in Russia before being attached to the headquarters of Frederick the Great. He was discharged in 1763, and the following year became chamberlain to the court of Hohenzollern-Hechingen. When the court went bankrupt in 1775, he was forced to look for other employment.

In the summer of 1777 Steuben met a friend of Benjamin Franklin's who suggested that he might be of service to the American cause. Bearing a letter of recommendation from Franklin and an endorsement from the French minister of war, Steuben went to America to volunteer his services. On Feb. 5, 1778, Congress accepted his offer and on the 28th of that month he reported to George Washington at Valley Forge. Speaking no English, he nonetheless drafted a model military training program with the help of Alexander Hamilton and Nathanael Greene.

On May 5, 1778, Steuben was appointed major general inspector

general of the army. He served in this capacity to 1783. In June 1778 Steuben was instrumental in planning American defenses during the battle of Monmouth. He then set up a system of property accountability for the army. In 1779–1780 he served as Washington's representative to Congress on matters of army reorganization. It was not until the 1781 battle of Yorktown that Steuben was finally given a field command, where his knowledge of seige warfare proved valuable to the Patriot cause.

After the Revolution, Steuben assisted Washington in defense and demobilization planning. In August 1783 he went to Canada to receive the surrender of the British frontier defenses, but was frustrated in finding there was no one with the authority to deal with him. Steuben returned to the United States to begin a peaceful retirement. He was made an American citizen by an act of the Pennsylvania Legislature in March 1783, and by the state of New York in 1786. After vainly attempting to buy property in New Jersey, he settled in New York City, where he became a popular social figure. Careless in business affairs, he was soon in financial straits. His difficulties were eased somewhat in 1790 when the federal government granted Steuben a yearly pension of \$2,500. Steuben died at Steuben, Oneida County, N.Y., on Nov. 28, 1794 (*DAB*; John McAuley Palmer, *General Von Steuben* [1937]; *Livingston Papers*, vols. 2–5).

STEVENS, JOHN, JR. (1749–1838): Stevens was born in New York City, the son of John Stevens, Sr. [q.v.] and Elizabeth Alexander. He attended King's College (Columbia), from which he graduated in 1768. On Oct. 10, 1782, Stevens married Rachel Cox, the sister-in-law of Robert R. Livingston [q.v.].

Stevens studied law but never practiced. Aided by his father, he occasionally served as an assistant to New Jersey governor William Franklin [q.v.]. In May 1775 Stevens was appointed a delegate to the New Jersey Provincial Congress, which met in Trenton on May 23, 1775. The following year he was elected to the New Jersey Legislative Council and was appointed treasurer of the state. On Feb. 1, 1777, Stevens was made a major in the fourth regiment of the Hunterdon County militia, but resigned his commission on Apr. 18, 1778. He was reelected vice-president of the Legislative Council and treasurer of the state in October 1778. Stevens served as New Jersey state treasurer until 1784.

After the Revolution, Stevens served as surveyor-general for the east-

ern division of New Jersey in 1782–1783. The following year he purchased the attainted estate of William Bayard [q.v.], which Steuben [q.v.] had vainly sought. Stevens helped develop the property into the present-day city of Hoboken.

In 1788 Stevens, with John Fitch, James Rumsey, and Robert R. Livingston, experimented in the development of the steamboat. Thereafter he devoted himself to the promotion and development of steam boilers and engines. In 1790 Stevens helped to frame the first patent law, and in 1791 was one of the first to receive a United States patent for a steam boiler. He then worked on perfecting steam engines for land and water transportation. In 1825 he built the first American-made steam locomotive. Stevens died in Hoboken on Mar. 6, 1838 (*DAB*; *Livingston Papers*, 3–5).

STEVENS, JOHN, SR. (1715–1792): Stevens was born in Perth Amboy, N. J., in 1715, the son of John Stevens and Ann Campbell. A merchant and shipowner, he had an extensive trade with the West Indies and became one of the wealthiest men of the colony. As a result, he was able to purchase extensive lands in Hunterdon, Somerset, and Middlesex counties after 1752. Stevens was active in Perth Amboy politics, and was a member of the East Jersey Board of Proprietors. Stevens entered New Jersey political life as a member of the New Jersey Assembly in 1751. Instrumental in raising New Jersey troops and money for the French and Indian War, he was appointed New Jersey Indian commissioner in 1758 and in 1762 appointed to the Governor's Council. In 1774 he was a member of the commission to determine the boundary line between New Jersey and New York. In 1748 Stevens married Ann Elizabeth Alexander, the daughter of James Alexander [q.v.] and sister of William Alexander [q.v.], Lord Stirling. Among their children were Mary, who married Robert R. Livingston [q.v.], and John, Jr. [q.v.]. In 1761 he retired to Rocky Hill, N. J., to oversee his estates and copper mines.

Stevens strongly opposed the 1765 Stamp Act, and in New York City, where he also maintained a residence, he was one of the Committee of Four to prevent the distribution of stamps. In the summer of 1776 Stevens quit the New Jersey Governor's Council and became vice-president of the revolutionary New Jersey Legislature. In this capacity he played a significant role in the selection of WL as New Jersey's first state governor. Stevens accumulated offices during the war. He was vice president

of the Council of Safety from 1777 to 1778, and vice president of the Privy Council from 1776 to 1782. In 1778 Stevens negotiated prisoner exchanges.

Like many large land holders, Stevens suffered substantial financial losses due to the war. While trying to recoup his losses, Stevens continued to fill many public offices. In 1783–1784 he was a member of the Continental Congress. With the reorganization of the East Jersey Board of Proprietors in 1783, Stevens became its president, serving until his death. He was president of the New Jersey Ratification Convention in 1787. Stevens died in Hoboken, N.J., on May 10, 1792 (*Biography of Congress; Eastern NJ Proprietors*; Ricord, *NJA*; Richard P. McCormick, *Experiment in Independence: New Jersey in the Critical Period, 1781–1789* [1950]; *Livingston Papers*, vols. 1–4).

STOCKTON, RICHARD (1730–1781): Stockton was born at Morven, his family's estate in Princeton, N.J., on Oct. 1, 1730. He attended Nottingham Academy in Cecil County, Md., then entered the College of New Jersey (Princeton). Upon graduating in 1748, he studied law under David Ogden [q.v.]. Stockton was admitted to the New Jersey bar in 1754 and commenced a successful law practice in Princeton. Under his tutelage many Princeton graduates, including William Paterson [q.v.], began successful legal careers. His sister Hannah married Elias Boudinot [q.v.].

Stockton served as a member of the New Jersey Provincial Council from Nov. 2, 1768, to June 17, 1777. He was appointed associate justice of the New Jersey Supreme Court on Feb. 28, 1774. At the outbreak of the Revolution, Stockton was regarded as a moderate in his opposition to Britain. On June 22, 1776, he was elected a delegate to the Continental Congress, where he was among the signers of the Declaration of Independence. In August 1776 he unsuccessfully ran against WL in the first contest for the governorship of New Jersey. He was elected chief justice of the New Jersey Supreme Court on Aug. 31, 1776, but declined the office.

Stockton was taken prisoner by Loyalists at Freehold, N. J., on Nov. 30, 1776. He was imprisoned first in Perth Amboy and then in the New York City provost jail. Brutally treated while imprisoned, Stockton's health was shattered. He was released on Dec. 29, 1776, and returned to find his estate Morven pillaged. Stockton died on Feb. 28, 1781 (*DAB*; *Biography of Congress*; *Livingston Papers*, vol. 1).

STOCKTON, SAMUEL WITHAM (1751–1795): Stockton was born in Princeton, N. J., the son of John Stockton and the brother of Richard Stockton [q.v.]. Stockton received his bachelor's degree from the College of New Jersey (Princeton) in 1767. Upon receiving a master's in 1770 from the college, Stockton delivered an oration on the subject of ambition. He then commenced the study of law.

At the outbreak of the Revolution, Stockton was studying law in London. In 1778 he joined the American commission to the courts of Austria and Prussia as secretary. He returned to America in 1779, delivering news of the 1778 treaty of amity and commerce with Holland to Congress. On May 12, 1781, Stockton was appointed master of the New Jersey High Court of Chancery. In August 1781 he became secretary for the New Jersey Society for Promoting Agriculture, Commerce and Arts. In October 1781 Stockton was appointed clerk of Hunterdon County. In 1794 he was named secretary of state of New Jersey. Stockton died on June 27, 1795, in Trenton, N.J., after being thrown from a carriage (Ricord, *NJA*; *Livingston Papers*, vols. 4 & 5).

TAYLOR, JOHN (1751–1801): Taylor was born in Princeton, N.J., on Aug. 1, 1751, the son of Jacob Taylor and Rachel Potter. He attended the College of New Jersey (Princeton), from which he graduated in 1773. That same year he moved to New Brunswick where he became a tutor of Queen's College (Rutgers) grammar school. In 1781 Taylor married Jeanette FitzRandolph.

In 1775 Taylor was captain of a regiment of Minute Men formed in New Brunswick. He became a major in the state troops on Nov. 27, 1776, and on June 6, 1777, was promoted to lieutenant colonel of the Middlesex militia. With the British occupation of New Brunswick, Taylor attempted to keep Queen's College open by holding classes in an abandoned church in North Branch. On June 2, 1779, he was appointed commanding officer of the state troops and in July was called to active service. He initiated intelligence operations for General Washington in the Elizabethtown region. Lacking proper provisions and medical care for his severely ill troops, Taylor began to send his sick men home rather than leave them open to British attack. He sent WL a full account of his activities in time to answer complaints from the state legislature. He was commissioned a colonel of state troops on Oct. 9, 1779, but resigned his commission to return to teaching. He reopened Queen's College that winter.

After the Revolution, Taylor attempted to build Queen's into a major institution. Frequent run-ins with the trustees forced his resignation in 1790. That year he became director of a Latin school in Elizabethtown. In 1794 he moved to Schenectady, N. Y., as director of Union Academy. He became acting president of Union College in 1795, and again in 1799. Taylor died of yellow fever in Schenectady, N. Y., on Nov. 5, 1801 (Richard A. Harrison; *Princetonians, 1769–1775* [1980]; *Livingston Papers*, vols. 1, 3 & 4).

TRENT, WILLIAM (1715–1787): Trent was born in Philadelphia, the son of Chief Justice William Trent, for whom Trenton, N.J., was named. Trent became a merchant, dealing in furs. During King George's War he served as a major in the Pennsylvania troops. In 1749 he entered into a partnership in the Indian trade with George Croghan. Travelling extensively among the Indians, Trent was frequently used by the English government as a mediator in obtaining treaties with them. Trent also heavily speculated in Indian lands in the Ohio region.

The fur trade was interrupted during the French and Indian War, causing Trent to suffer heavy financial losses. In compensation, he and his associates, including Samuel Wharton and George Morgan, received from the Iroquois a large tract of land along the upper Ohio known as Indiana. Forming the Indiana Company, Trent and Wharton went to England in 1769 to obtain a royal confirmation for this land. Failing to do so, he returned to Trenton, in 1775. His attempts to validate his titles with the Virginia Assembly and Congress were equally unsuccessful. In 1783 Trent moved to Philadelphia, where he died in 1787 (Ricord, *NJA*; The Trenton Historical Society, *A History of Trenton, 1679–1929*, 2 vols. [1929]; *Livingston Papers*, vol. 4).

TROUP (TROOP), JOHN (d.1781): Troup was born in Jamaica, Long Island, probably the son of John Troup. He was the brother of Robert Troup [q.v.]. Troup remained loyal to England at the outbreak of the Revolution, swearing allegiance to the king in January 1775. He later joined Cortlandt Skinner's [q.v.] third New Jersey volunteers, to which he was appointed a lieutenant.

On July 28, 1777, Troup undertook an enlisting and reconnaissance mission in New Jersey. On August 9, while dining at the home of Abraham Saunders near Stoneybrook, Troup was surprised by a party of Patriots and captured as he attempted to hide in the woods. He was

brought before WL and Gen. Horatio Gates to be examined on the following day. On August 13 he was questioned by the Council of Safety and ordered to be sent to General Washington to face court-martial. Nearly naked and half-starving, Troup underwent a grueling twelve-day march from New York to Washington's headquarters in Wilmington, Del. On reaching this destination, Troup promised to take the oaths of allegiance, but when his irons were removed he escaped to New York. There he published a narrative of his capture and treatment in the *Royal Gazette*. His New Jersey property was confiscated and sold in 1778–1779. Troup fought in the battle of Eutaw Springs, S.C., on Sept. 8, 1781, and was mortally wounded. His widow Esther later made a claim for £225 to the British government (Palmer, *Sketches of Loyalists; Livingston Papers*, vol. 2).

TROUP (TROOP), ROBERT (1756–1832): Troup was born in Jamaica, Long Island, probably the son of John Troup. He was the brother of John Troup [q.v.]. He graduated from King's College (Columbia) in 1774 and then studied law, first under Thomas Smith and subsequently under John Jay.

Unlike his brother John, Troup was a Whig. In May 1776 he obtained a commission in the New York militia as a first lieutenant, serving as aide-de-camp to Brig. Gen. Timothy Woodhull. While doing reconnaissance at Jamaica Pass, Long Island, he was taken prisoner on Aug. 17, 1776, and confined to the prison ship *Jersey*. He was exchanged on Dec. 9, 1776, and went to New Jersey, where he joined the Continental army. He was appointed a major and aide-de-camp to Horatio Gates in February 1777, and promoted to lieutenant colonel the following October. Troup was appointed secretary to the Board of War in February 1778, and secretary to the Board of Treasury on May 29, 1779. Troup resigned from the army on Feb. 9, 1780.

After the Revolution, Troup, along with his close friend Aaron Burr, began the study of law under William Paterson [q.v.]. He commenced his practice in Albany, N.Y., but moved to New York City after the British evacuation in 1783. An ardent Federalist, Troup in the 1790s abandoned Aaron Burr to become a strong supporter of Alexander Hamilton. In 1796 Troup was appointed a judge of the United States District Court of New York. During this period he profited from land speculation in western New York. He was closely connected with the

settlement of the Genesee country and a promoter of the Erie Canal. In 1814 he moved to Geneva, N. Y. Troup died in New York City on Jan. 14, 1832 (*DAB*; Milton Lomask, *Aaron Burr*, 2 vols. [1979, 1982]; *Livingston Papers*, vols. 2–4).

TUCKER, SAMUEL (1721–1789): Tucker was born in Trenton, N.J. After studying law, he worked as a merchant and became a large landowner. In 1764 Tucker was elected sheriff of Hunterdon County. He was elected to the New Jersey Assembly in 1768, serving until 1776. In 1768 he was also appointed a judge of the Hunterdon County Court of Oyer and Terminer.

Tucker was early involved in the revolutionary movement. In 1774 he was a member of the Hunterdon County Committee of Correspondence and in 1775 a delegate to the New Jersey Provincial Congress. At the third Provincial Congress in June 1776 Tucker was elected chairman, and was one of the signers of New Jersey's new state constitution. In that year he was appointed a justice of the reorganized New Jersey Supreme Court and a state treasury official.

When the British took possession of Trenton in 1776 Tucker fled, leaving behind his sick wife. At her plea he decided to return. On his way back to Trenton he was captured by a band of Loyalists and held in confinement for three days, during which time he learned that most of his private valuables and the public money and papers he had hidden were taken by the British. In an attempt to recover these items, he temporarily took British protection. It was to no avail, as the public and private property was gone along with his reputation. He was forced to resign as justice by the general disapproval of the population on Feb. 15, 1777. He took the oath of allegiance on Mar. 10, 1778. After the Revolution, Tucker was elected to the New Jersey Assembly in 1782, serving until 1784.

His 1783 efforts to dislodge WL from office led the governor in 1784 to launch anonymous attacks on Tucker, demanding that he give an accounting of the money seized in 1776 by the British. Despite Tucker's demands, Livingston, writing as "Scipio," refused to reveal his identity and then renewed his attacks on Tucker with a series of satirical essays. Suspecting WL's authorship, Tucker campaigned more actively against him in the next election, but his efforts to unseat WL were unsuccessful. Tucker died in Trenton, in January 1789 (Larry R. Gerlach, *Prologue to*

*Independence: New Jersey in the Coming of the American Revolution* [1976]; Larry R. Gerlach, ed., *New Jersey in the American Revolution, 1763–1783: A Documentary History* [1975]; *Livingston Papers*, vols. 1, 2 & 5).

VOORHEES, PETER VAN (1733–1779): Voorhees was born on Apr. 20, 1733, in Somerset County, the son of Johannes Voorhees and Sarah Schenck [q.v.]. He married Gertrude Schuyler.

On Oct. 29, 1775, Voorhees joined the Continental army as a second lieutenant in Captain John Conway's battalion of the first New Jersey regiment. Voorhees was promoted to the rank of first lieutenant on Sept. 18, 1776, and to captain on Nov. 1, 1777. During the battle of Hillsborough in October 1779, Voorhees was taken prisoner by Lt. Col. John Simcoe [q.v.] of the Queen's Rangers. On Oct. 26, 1779, after he had surrendered, he was murdered by Loyalists who shot him in the face near New Brunswick, N.J. His murder provoked outrage and cries for retaliation against Loyalists throughout New Jersey (Albert Stokes, *Van Voorbees Family in America* [1984]; Heitman, *Historical Register; Livingston Papers*, vol. 3).

VOORHEES, SARAH SCHENCK (1701–1794): Born in Piscataway, N. J., in March 1701, Sarah was the daughter of Jan Schenck, Sr., and Sarah Cowenhoven. She married Johannes Van Voorhees in New Brunswick, N.J., on May 16, 1721 and bore him six children, among whom was Peter Voorhees [q.v.]. After her husband's death in 1733 she married in 1737 Hendrick Gerritse Van Voorhees, a cousin of her late husband's. Hendrick had eight children by a previous marriage to Jannetje Jansen, and Sarah bore him five more.

Hendrick Voorhees died in 1765, leaving his widow a large debt-encumbered estate, which included 500 acres in Monmouth County and 70 acres at Barnegat. To clear her finances, Mrs. Voorhees had those of her children indebted to her imprisoned until their debts to her were cleared. She then sold large portions of the estate. In 1771 Joseph Bowne, heir of one of the purchasers, began a legal case against Sarah Voorhees after she claimed that his title entailed the payment of a widow's dower to her. The suit was interrupted and complicated by the Revolution, when several of the involved parties were either killed or joined the British.

In 1784 the case was resumed and brought before a board of arbitration, consisting largely of Sarah Voorhees's relations, which decided in her favor. In 1789 Bowne reinstated his suit. William Paterson [q.v.] represented Voorhees and James Kinsey [q.v.] represented Bowne. In November of that year the case came before WL in chancery, where it became part of an investigation to reform the court system. The suit was still unresolved when Sarah Voorhees died in Freehold, N.J., in June 1794 (William Franklin Voorhees Papers [private]; Albert Stokes, *Van Voorbees Family in America* [1984]; Ricord, *NJA*; *Livingston Papers*, vol. 5).

WATKINS, JOHN WATKYN (1757–1813): WL's son-in-law John Watkins was born in New York City on Oct. 18, 1757, the son of John Watkyn Watkins, Sr., and Lydia Stillwell. Watkins's father was a wealthy merchant from Glamorganshire, South Wales, who owned considerable property in both New York and Great Britain. At the outbreak of the Revolution, the elder Watkins returned to England leaving his nineteen-year-old son in New York.

With the British occupation of New York City in August 1776, Watkins moved to New Jersey. He was commissioned a captain in Col. William Malcom's Continental regiment on Mar. 11, 1777. Watkins relinquished his commission on Oct. 12, 1777, and was appointed aide-de-camp to William Alexander [q.v.], Lord Stirling, with the rank of major. He served in this capacity until April 1780. On Apr. 6, 1780, Watkins and WL's daughter Judith [q.v.], were married by the Rev. James Caldwell [q.v.] in Elizabethtown.

Watkins soon proved to be a disappointment to the Livingston family. He was frequently ill and, heir to a large family fortune, mismanaged his estates. As a result he was in constant financial straits. After the Revolution, Watkins worked as a clerk in the New York Chancery Court until 1795. His subsequent legal career proved to be no more successful than his estate management. Watkins died at Harlem Heights, New York, on Oct. 24, 1813 (Military Service Records [NNCC, National Archives, GSA, Washington, DC]; *Livingston Papers*, vols. 1, 3, & 4).

WATKINS, JUDITH LIVINGSTON (1758–1843): The youngest daughter of WL and Susannah French was born in New York City on Dec. 30,

1758. On Apr. 6, 1780, she married John Watkyn Watkins [q.v.] in Elizabethtown. She bore Watkins seven children.

Judith Watkins suffered from delicate health. Her first child John died in infancy in April 1782, and her second child was born prematurely and died in August 1782. She was forced to seek financial assistance from WL due to her husband's inability to manage money. Increasingly John Jay and Henry Brockholst Livingston [qq.v.] took over the management of her family's financial affairs. After the death of her husband in 1813, Judith Watkins became practically a ward of the Jay family. She died July 7, 1843, and was buried in the Jay family plot in Westchester County, N.Y. (*Livingston Papers*, vols. 4 & 5).

WATTS, MARY ALEXANDER (1749–1831): WL's niece Mary Watts was born in April 1749, the eldest daughter of William Alexander, Lord Stirling, and Sarah Livingston [qq.v.], Lady Stirling. She grew up at the family home in Basking Ridge, N.J., and on Feb. 9, 1775, married New York City merchant Robert Watts [q.v.].

At the outbreak of the Revolution, Mary Watts remained with her Loyalist husband in New York City. In August 1778 her mother made an unsuccessful attempt to have her return to New Jersey. In 1779 Mrs. Watts was denied permission to cross enemy lines to attend the wedding of her sister Catherine to Col. William Duer. She remained in New York City throughout the occupation. Her father never forgave her for remaining loyal to the British crown and she was disinherited by the terms of his will. She died in 1831 (Jones, *History of New York; Livingston Papers*, vols. 2, 3, & 5).

WATTS, ROBERT (1743–1814): Watts was born in New York City, the son of John Watts, Jr., and Ann DeLancey. He engaged in the mercantile business. In February 1775 Watts married Mary Alexander [q.v.], the daughter of William Alexander [q.v.], Lord Stirling.

During the Revolution, Robert Watts was loyal to the British crown and remained in British-occupied New York City. His property was attainted by New York State in 1779. After the Revolution, Watts petitioned the crown for land in Canada, but decided to remain in New York after learning that there were few possibilities for advancement in Canada. Watts died in New York in 1814 (Jones, *History of New York; Livingston Papers*, vols. 3–5).

WEST, JACOB (d.1807): Born in Freehold, N.J., West later moved to Greenwich, N.J. He married Ann Robinson in Monmouth County on Oct. 18, 1771.

On Sept. 28, 1776, West was commissioned a lieutenant colonel of Col. Mark Thompson's first regiment of the Sussex militia. On November 27 he became a lieutenant colonel and colonel of Col. David Chamber's battalion of the N. J. state troops. In the spring of 1777 West commanded his regiment in Sussex County. He was made colonel on June 6 of that year, and in September he commanded his battalion at Elizabethtown under Brig. Gen. William Winds [q.v.]. In June and July of the following year West commanded a detachment to arrest Tories in Sussex County. In the summer of 1780 he commanded a detachment of his regiment at Morristown and Minnisink. West also served as deputy quartermaster from February 1777 to April 1781.

After the Revolution, West resumed civilian life in Sussex County. In 1793, by reason of personal obligations that he assumed for purchases in the quartermaster general's department, West became insolvent and was imprisoned for debt in the Sussex County jail. Jacob West died in New Jersey on Feb. 11, 1807 (Heitman, *Historical Register*; Stryker, *Official Register*; Ricord, *NJA*; *Livingston Papers*, vols. 2 & 3).

WILSON, PETER (1746–1825): Wilson was born on Nov. 23, 1746, in Banff, Scotland, the son of a farmer. He was educated at the University of Aberdeen. In 1763, at the age of seventeen, he immigrated to New York City, where he opened a school teaching Latin in the New York Exchange. In 1767 Wilson was appointed principal of an academy in Hackensack, N.J. He settled in New Barbadoes, Bergen County, N.J., where he married a daughter of the Van Giesen family of Hackensack. On Feb. 3, 1781, after the death of his first wife, Wilson married Catherine Duryea.

At the outbreak of the Revolution, Wilson helped organize Bergen County resistance to the British and raised local militia companies. In 1778 he was elected to the New Jersey Assembly, serving until 1782. In June 1780 Wilson worked with the American commissary of prisoners to exchange captives taken during the British raid on Hackensack in that year. In 1783 Wilson was appointed by the New Jersey Legislature to revise and codify the laws of New Jersey.

After the Revolution, Wilson returned to teaching. In 1783 the in-

habitants of Hackensack petitioned the legislature for a charter to incorporate a college, and Wilson gave the land on which Union College was founded. In 1793 he received the honorary title of Doctor of Laws from Union College. In 1792 Wilson was offered the presidency of Rutgers College, but declined and instead accepted a position as titular head of Erasmus Hall Academy in Flatbush, Long Island, serving in that position until 1805. From 1797 to 1820 he was also professor of Greek and Latin and classical antiquities at Columbia College. In 1800–1801, Wilson shared with John Kemp, professor of mathematics, the office of president of Columbia. He published several works on Greek and Latin studies, including a translation (1808) of Sallust's *Catiline and Jugurtha*. Peter Wilson retired in 1821 and died in New Barbadoes on Aug. 1, 1825 (Bergen County History, 1972; *DAB*; Adrian C. Leiby, *The Revolutionary War in the Hackensack Valley* [1962]; Ricord, *NJA*; *Livingston Papers*, vols. 3–5).

WINDS, WILLIAM (1727–1789): Winds, born in Southold, Long Island, moved to New Jersey as a youth. Owner of an estate in Morris County called Pigeon Hill, Winds was a large, violent, and powerful man. An acquaintance, Dr. Ashbel Green, noted that Winds “was of gigantic frame and strength, and no one doubted his courage. But,” Green continued, “the most remarkable thing about him was his voice. It exceeded in power and efficiency (for it was articulate as well as loud), every other human voice I ever heard.” Neighbors half mile away often heard Winds give orders to his servants. In addition Winds had a quick temper and ready fists, which he consistently inflicted on his wife and neighbors alike.

Winds uncertain temperament was apparent early in his military career when he served as a captain with a New Jersey militia unit during the French and Indian War. Winds grew infuriated when the commander of the unit refused to fight back when the unit was attacked by the French just north of Albany. The commander fled and Winds assumed command in time to fight off the French.

Winds continued his military career during the Revolution when on Nov. 7, 1775, he was commissioned a lieutenant colonel of the first New Jersey battalion. His first service occurred early in January 1776 when William Alexander [q.v.], Lord Stirling ordered Winds to arrest the

royal governor William Franklin [q.v.], and escort him to Elizabethtown.

Later the same year, Winds' regiment, stationed at Crown Point and Ticonderoga, joined the American expedition to Canada. In the summer of 1777 Winds, newly appointed brigadier general of the militia, was ordered to thwart British plans to join John Burgoyne's army with that of Sir Henry Clinton.

Winds received several other assignments to pursue Tories, but his military career was hampered by his quick temper. He feuded with Matthias Ogden [q.v.], and strenuously opposed Ogden's promotion to lieutenant colonel of the New Jersey battalion. He also feuded with colonels Elias Dayton [q.v.] and Jacob Drake. Resentment caused by his bad temper may well have prompted fellow officers to charge him with cowardice when he ignored orders to attack a British baggage train near New Brunswick in June 1778. A year later he resigned his commission but nevertheless fought at the June 1780 battle of Springfield. His last public service occurred in 1787 when, with William Woodhull and John Jacob Faesch, Winds was elected by Morris County to the state convention which ratified the Constitution of the United States (N.J.H.S., *Proceedings* [1853], 13–37; *Livingston Papers*, vols. 1–3).

WITHERSPOON, JOHN (1722–1794): Witherspoon was born in the parish of Yester, Scotland, on Feb. 5, 1722, the son of the Rev. James Witherspoon. At the age of fourteen Witherspoon entered the University of Edinburgh, where in 1743 he was ordained a Presbyterian clergyman. He was a minister first to the parish church of Beith, Scotland, then at Paisley, Scotland. In 1767 the trustees of the College of New Jersey (Princeton) requested that he take charge of the college. The following year he immigrated to America and became president of the college on August 17, subsequently doing much to build its fame. Witherspoon married Elizabeth Montgomery in Scotland. They had five children. After the death of his first wife in 1789, Witherspoon married Ann Marshall Dill, by whom he had two daughters.

Witherspoon was an early supporter of colonial independence. In May 1776 he was elected a member of the convention which drafted New Jersey's state constitution. He was elected to the Continental Congress on June 22, 1776, and signed the Declaration of Independence.

Witherspoon was a member of over one hundred congressional committees, including the board of war and committee on secret correspondence (foreign affairs). He actively participated in the debates over drafting of the Articles of Confederation. Witherspoon was instrumental in organizing the executive departments and drawing up instructions for the American peace commissioners John Jay, Benjamin Franklin, and John Adams. In 1780 Witherspoon left Congress, but was induced to return the following year. He resigned in 1782.

After his resignation from Congress Witherspoon returned to Princeton and actively worked to rebuild the college from the devastation caused by the war. Although he had retired from active public life, he was elected to the New Jersey State Legislature in 1783, and again in 1789. In 1787 he was a member of the New Jersey convention to ratify the United States Constitution. Witherspoon was also active in the Presbyterian church. In 1785 he was a member of a Philadelphia convention to create the independent Presbyterian church of America and to investigate the possibility of unifying all Reformed churches in the country. He served as a member of the newly created General Assembly of the Presbyterian church in 1787, 1791, 1792, and 1794. Witherspoon died near Princeton, N.J., on Nov. 15, 1794 (John Maclean, *History of the College of New Jersey* [1877]; *DAB*; *Livingston Papers*, vols. 1–5).

### APPENDIX III

## *Biographical Directory*

THIS DIRECTORY identifies most persons whose names appear in the notes and documents of Volume 5. More comprehensive biographies on certain individuals who appear in this and previous volumes are available in Appendix II. When a comprehensive biography is included, the individual will be listed in this directory only by name, birth and death dates, and places of residence. The reader will then be referred to Appendix II.

Names are omitted from this directory when no information exists, when sources conflict irreconcilably, or when the documents or footnotes give all the known data. The profiles provide birth and death dates when available and all known places of residence.

Profiles also include all known military and civil offices and posts held during each person's lifetime. 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*, and in published biographies. 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 include 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, Pa., 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). Euro-

pean military figures were identified with the help of Mark Mayo Boatner, III, *Encyclopedia of the American Revolution* (New York, 1966); Trevor N. Dupuy and Guy 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, Conn., and London, 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.

ABEEL, JAMES (1733–1825): Morristown, Morris Co.; deputy quartermaster gen. and supt. of stores and camp equipage, Cont. army (see vol. 3).

ADAMS, JOHN (1735–1826): Mass.; commissioner to Paris Peace Conference, 1782–1783; first U.S. minister to Great Britain, 1785–1788; vice pres., U. S., 1789–1797; pres., 1797–1801 (see vols. 1–4).

ADAMS, THOMAS (1730–1788): Va.; member, Cont. Congress, 1778–1780; Va. state senator, 1783–1786.

ADDISON, JOSEPH (1672–1719): Great Britain; Whig statesman, essayist, and poet;

contributed to Richard Steele's *Tatler*, 1709–1711, and *Guardian*, 1713; published *Spectator* with Steele, 1711–1712; secretary of state, America, 1717–1718,

AFFLECK, EDMUND (1723?–1788): English admiral; served in 1779 Gibraltar and 1782 Caribbean campaigns.

ALBERONI, GIULIO (1664–1752): Spain; prime minister under Philip V, 1716.

ALEXANDER, JAMES (1691–1756): Scotland, N. J. and N. Y.; see Appendix II.

ALEXANDER, SARAH LIVINGSTON, LADY STIRLING (1725–1804): Basking Ridge, Somerset Co.; see Appendix II.

- ALEXANDER, WILLIAM, LORD STIRLING (1726–1783): Basking Ridge, Somerset Co.; see Appendix II.
- ALSOP, JOHN (1724–1794): New York City; merchant; incorporator and governor of N.Y. Hospital; delegate, Provincial Congress, Sept. 14, 1774–Oct. 26, 1774, and May 10, 1775–Dec. 1775; member, Committee of One Hundred, 1775; pres., N.Y. Chamber of Commerce, 1784, 1785.
- ARKWRIGHT, RICHARD (1732–1792): England; entrepreneur, inventor of water-frame and carding machines for textile industry.
- ATHANASIUS (ca. 297–373): Catholic saint, scholar and writer; leader in struggle against Arianism; Athanasian Creed based on his works.
- ATLEE, EDWIN P.: Philadelphia; physician; Quaker; abolitionist.
- ATTERBURY, FRANCIS (1662–1732): England; bishop of Rochester and dean of Westminster; favored Jacobites and was imprisoned for attempt to restore the Stuarts, 1720; deprived of offices and banished; died in France.
- ATWOOD, GEORGE (1746–1807): England; mathematician and writer of mathematical works; educated at Westminster and Trinity College, Cambridge.
- AUSTIN, DAVID (1760–1830): Elizabethtown, Essex Co.; see Appendix II.
- BACKER, [HENDRICK?]: The Netherlands; member of Amsterdam banking family; staff member of first Dutch legation to U.S., 1783.
- BACON, SIR FRANCIS (1561–1626): Great Britain; lord chancellor under James I, 1618–1621; philosopher and author.
- BAKER, JOSHUA: Maidenhead, Hunterdon Co.; suspected Loyalist; N.J. state prisoner, 1784.
- BANCKER, ABRAHAM (1754–1806): Staten Island, N.Y.; 1st lt., 4th New York; Feb.–Nov. 1776.
- BANCKER, GERARDUS (1740–1799): N.Y.; commissioner to settle N.Y.–Mass. boundary, 1773; N.Y. state treasurer, 1778–1789; N.Y.C. member committee to oversee construction of executive mansion to be used by Pres. Washington, 1790.
- BANYAR, GOLDSBROW (1727–1815): Great Britain, Albany, N.Y.; Loyalist; Oriskany patentee.
- BARCLAY, ROBERT: Scotland; claimed to have inherited shares of East Jersey property; brought suit against East Jersey Proprietors, 1787.
- BARCLAY, THOMAS (1728–1793): Philadelphia; merchant; U.S. consul-general at Paris, 1781; commissioner to settle accounts of U.S. ministers abroad, 1782; negotiated peace treaty with Morocco, 1786.
- BARD, JOHN (1716–1799): New York City; physician; practiced in Philadelphia; moved to N.Y.C., 1746; recorded body dissection for medical students, 1750; instituted quarantine system for N.Y. port, 1759; first president of the Medical Society of the State of New York, 1788.
- BARLOW, JOEL (1754–1812): born Redding, Conn.; graduated Yale, 1778; chaplain, 4th Mass. brig.; writer and poet; coauthor of *Anarchiad* (1786–1787); became member “Hartford Wits”; lived in France and England, 1788–1806.
- BARNEY, JOSHUA (1759–1818): Baltimore, Md.; naval officer; served in action between the *Hyder Ally* and the British *General Monk*, 1782; commander of *Washington* packet.
- BAUDOINE (BANDOINE), JOHN: Middlesex Co.; capt.; privateer; comdr., gun boat *Revenge*, 1782 (see vol. 4).
- BAYARD, WILLIAM (1729–1804): Great Britain; see Appendix II.
- 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.; elected to Privy Council, 1781; pres., Medical Society of N.J., 1782; delegate, Cont. Cong., 1784 (see vols. 2, 4).
- BELL, ANDREW (1757–1848): Somerset Co. and Perth Amboy, Middlesex Co.; Loyalist, secy. to Sir Henry Clinton; peti-

tioned for lands in Nova Scotia, 1783; returned to N.J., 1785; member, board of East Jersey Proprietors, 1790; brother-in-law of William Paterson.

**BENSON, EGBERT** (1746–1833): New York City and Jamaica, L.I.; attorney; deputy to Provincial Convention, 1775; member, Council of Safety, 1777–1778; atty. gen., N.Y., 1777–1789; member, N.Y. Assembly, 1777–1781, 1788; commissioner directing embarkation Loyalist refugees, 1783; member, Cont. Congress, 1784–1788; judge, N.Y. Supreme Court, 1784–1801; member, N.Y. Ratification Convention, 1788; representative, U.S. Congress, 1789 (see vol. 4).

**BERKELEY, GEORGE** (1685–1753): Great Britain; bishop of Cloyne; philosopher and author; visited America to found college but failed to raise money, 1728.

**BIDDLE, CLEMENT** (1740–1814): Pa.; commissary gen. of forage, Cont. army, 1777–1780; col., quartermaster gen., Pa., 1781–1783 (see vols. 1–4).

**BINGHAM, WILLIAM** (1752–1804): Pa., Martinique, W.I., and St. Pierre, W.I.; agent of Cont. Congress at Martinique, consul at St. Pierre, W.I., 1777–1780; founder and director, Bank of North America, 1781; delegate, Cont. Congress, 1787, 1788; delegate, Pa. House of Representatives, 1790, 1791.

**BIRCH, SAMUEL**: Great Britain; lt. col. of 17th Light Dragoons; military commandant of N.Y.C., 1780–1783.

**BLAIR, JOHN** (d. 1782): Great Britain; minister and author; published *Chronology of World from Creation to 1753* (1754); chaplain to Princess-dowager of Wales; rector of St. John the Evangelist, Westminster, 1776.

**BLAIR, JOHN** (1732–1800): Va.; jurist; member, Va. House of Burgesses, 1766–1770; member, Va. council, 1770–1775; judge; delegate to Constitutional Convention, 1787; associate justice, U.S. Supreme Court, 1789–1796.

**BLANCHARD, CALEB**: Elizabethtown, Essex Co., and Hanover, Morris Co.; merchant.

**BLANCHARD, JOHN**: Elizabethtown, Essex Co., and Hanover, Morris Co.; merchant; member Essex Co. Committee of Corre-

spondence, Dec. 1774; capt., Morris militia; capt., troop of light horse, Essex militia, commanded troop on expedition, Staten Island, Feb. 12, 1776; resigned prior to June 2, 1777 (see vol. 1).

**BLAND, THEODORIC** (1742–1790): Va.; capt., 1st troop of cavalry, Va. June 13, 1776; maj., light dragoons, Dec. 4, 1776; col., 1st cont. dragoons, Mar. 1777–December, 1779; member, Cont. Congress, 1781–1783; lt., Prince George Co. militia, 1785; delegate, Va. Ratification Convention, 1788; member, 1st Congress, 1789.

**BLEAU (BLAUW), ELEANOR**: New York City; widow, Waldron Bleau; executrix of his estate.

**BLEAU (BLAUW), WALDRON** (d. 1783): New York City; Loyalist; capt., 3rd battalion N.J. Volunteers; fled, St. John, New Brunswick, 1783; died five days after landing; N.Y. property confiscated, restored to widow and daughter.

**BOERHAAVE, HERMAN** (1668–1738): The Netherlands; physician; professor of medicine and chemistry, University of Leiden.

**BONIFACE VIII** (1235?–1303): Roman Catholic pope; promulgated *Unam Sanctam* (1302).

**BOUDINOT, ELIAS** (1740–1821): Elizabethtown, Essex Co., Philadelphia, and Burlington, Burlington Co.; see Appendix II.

**BOUDINOT, HANNAH STOCKTON** (1740–1808): Philadelphia, and Burlington, Burlington Co.; wife of Elias Boudinot.

**BOWDOIN, JAMES** (1726–1790): Mass.; merchant; pres., Mass. Constitutional Convention, 1779; gov., Mass., 1785–1787; delegate, Mass. Ratification Convention, 1788.

**BOYLE, ROBERT** (1627–1691): Great Britain; natural philosopher and chemist; proved proportional relation between elasticity and pressure (“Boyle’s Law”); founder, Royal Society.

**BRAY, JOHN** (1738–1806): Piscataway, Middlesex Co.; farmer; assist. commissary, Cont. army; quartermaster; slave trader and land agent, Raritan and New Brunswick, 1780–1782; owner, gunboat *Revenge*, 1782.

- BREARLEY (BEARLY), DAVID (1745–1790): Trenton, Hunterdon Co.; see Appendix II.
- BROWN, JOHN (1736–1803): R. I.; merchant; assisted in destruction *Gaspee*, 1772; member, R. I. House of Representatives, 1782–1784; delegate, Cont. Congress, did not serve, 1784.
- BRUSH, TIMOTHY, JR. (1745–1806): Hope-well, Hunterdon Co.; merchant, horse trader, slave dealer; ensign, 1st regt., Hunterdon militia, May 10, 1777.
- BRYAN, GEORGE (1731–1791): Pa.; naval officer, Philadelphia port, 1776; vice pres., Supreme Executive Council, Pa., Mar. 5, 1777–Oct. 11, 1779; acting pres., May 23, 1778–Dec. 1, 1778; member, Pa. Assembly, Oct. 12, 1779–Apr. 1780; judge, Pa. Supreme Court, Apr. 3, 1780; delegate, Pa. Ratification Convention, 1788 (see vol. 4).
- BUCHANAN, GEORGE (1506–1586): Great Britain; historian and scholar; tutor, James I; wrote *Rerum Scotticarum historia* (1582).
- BURGOYNE, JOHN (1722–1792): Great Britain; maj. gen., 1772; member of parliament, 1768–1792; America, May 1775; returned Great Britain, Nov. 1775; America, 1777; lt. gen., 1777; surrendered, Saratoga, Oct. 17, 1777; in Mass., Nov. 8, 1777–Apr. 1778; sailed for England, Apr. 15, 1778; commander-in-chief, Ireland, 1782–1783 (see vols. 1–4).
- BURNET (BARNET), WILLIAM, SR. (1730–1791): Newark, Essex Co.; see Appendix II.
- BUTLER, JOHN (1728–1796): Conn., N. Y., Canada; see Appendix II.
- CADWALADER, LAMBERT (1742–1823): Trenton, Hunterdon Co.; member, Cont. Congress, 1784–1787; member, U.S. House of Representatives, 1789–1791, 1793–1795.
- CAMP, CALEB (1736–1816): Newark, Essex Co.; member, N.J. Assembly, 1776–1782; speaker, 1778–1779 (see vols. 1–4).
- CANTINE, JOHN (1735–1808): N. Y.; colonel, N.Y. militia, 1778–1781; member, N.Y. Assembly, 1784, 1785, 1787, 1788.
- CAPELLEN, JOAN DERK, BARON VAN DER (1741–1784): The Netherlands; see Appendix II.
- CAREY, MATHEW (1760–1839): Ireland, Pa.; publisher and bookseller: printed *American Museum* from 1787 (see vol. 2).
- CARLETON, SIR GUY (1724–1808): Great Britain; commander in chief, British forces, North America, 1782–1783; gov., Quebec, 1786–1791 (see vols. 1, 2, & 4).
- CASTALIO (CASTELLIO), SEBASTIAN (1515–1563): student of Calvin; translated Geneva Bible into Latin; author, *Youth's Scriptures Remembrances* (ca. 1742).
- CERVANTES SAAVEDRA, MIGUEL DE (1547–1616): Spain; writer, author, *Don Quixote*.
- CHARLES I (1600–1649): king of England, 1625; executed, Jan. 30, 1649 (see vol. 4).
- CHARLES II (1630–1685): second son of Charles I; king of England, 1660–1685.
- CHARLES III (1716–1788): king of Spain, 1759–1788 (see vols. 1–4).
- CHARLOTTE (1744–1818): queen of Great Britain; married George III, Sept. 7, 1761 (see vols. 2–4).
- CHESTERFIELD, PHILIP DOUNER STANHOPE, FOURTH EARL OF (1694–1773): Great Britain; statesman and writer.
- CHETWOOD, JOHN (1736–1807): Elizabethtown, Essex Co.; see Appendix II.
- CHRISTIE, JAMES (1750–1807): Pa.; captain, 2d & 3d Pa. battalion to 1783.
- CLARK, ABRAHAM (1726–1794): Essex Co.; see Appendix II.
- CLARK, ELIJAH (1730–1795): Woolwich, Gloucester Co.; member, Provincial Congress, 1775–1776; lt. col., 3d battalion, Gloucester Co. militia, 1776–1777; member, N.J. Assembly, 1777; Gloucester Co. clerk, 1781 (see vol. 4).
- CLARKSON, DAVID (1726–1782): N. Y.; see Appendix II.
- CLARKSON, ELIZABETH FRENCH (1722–1808): N. Y.; daughter of Philip French; sister of Susannah French Livingston; wife of David Clarkson.
- CLARKSON, MATTHEW (1758–1825): N. Y.; son of David and Elizabeth French Clarkson.
- CLINTON, GEORGE (1739–1812): N. Y.; gov., N.Y., 1777–1795 (see vols. 2–4).
- COKE, SIR EDWARD (1552–1634): England;

jurist and author; wrote *Institutes of the Laws of England* (1628–1644).

COLDEN, CADWALLADER (1688–1776): N.Y.; physician, landowner, and statesman; lt. gov., N.Y., 1761–1776; political opponent of Livingston family.

COLLINS, ISAAC (1746–1817): Burlington, Burlington Co., and Trenton, Hunterdon Co.; see Appendix II.

COMENIUS, JOHANN AMAS (1592–1679): Poland and England; educator and Moravian bishop; wrote *Orbis sensualium pictus* (“Visible World”) (1657).

CONDUCT, SILAS (1738–1801): Morristown, Morris Co.; member, Cont. Congress, 1781–1784; member, N.J. Assembly, 1791–1794, 1796–1798, 1800; speaker, 1792–1794, 1797 (see vols. 1–4).

COOPER, JOHN (1729–1785): Woodbury, Gloucester Co.; judge, Gloucester Co. Court of Common Pleas, 1779–1785; member, N.Y. Legislative Council, 1784–1785.

CORDIER, MATHURIN (1479–1564): France and Switzerland; educator and theologian; author *Colloquiorum Centuria Selecta*.

CORBURY, EDWARD HYDE, LORD (1661–1723): England; notoriously corrupt gov., N.Y. and N.J., 1702–1708 (see vols. 1 & 4).

COX (COXE), JOHN (1732–1793): Philadelphia, and Burlington, Hunterdon Co.

COXE, CHARLES: Kingwood, Hunterdon Co.; landowner; natural son of Col. Daniel Cox.

COXE, DANIEL: Trenton, Hunterdon Co., Philadelphia, and N. Y.; Loyalist; lawyer; brother-in-law of John Tabor Kempe; went to England, 1785.

CRANE, JOSEPH: Elizabethtown, Essex Co.; sheriff, Essex Co. prior to Dec. 1785.

CRÉVECOEUR, HECTOR ST. JOHN DE (1735–1813): France, Canada, N.Y. essayist and farmer; lived in Orange Co., N.Y., 1769–1780; wrote *Letters from an American Farmer* (1782) and *Sketches of Eighteenth Century America* (1825); French consul in N.Y. to 1790.

CRILLON, LOUIS DES BALBES DE BERTON (1717–1796): France; lt. gen. French army; led expedition to Minorca, 1782; led un-

successful French and Spanish attack on Gibraltar, Sept. 1782 (see vol. 4).

DALTON, MICHAEL (d. 1648?): Great Britain; jurist; commissioner of sequestrations for the county of Cambridge, 1648; author of *The Country Justice* (1618) and *Officium Vicecomitum* (1623).

DANA, JAMES (1735–1812): New Haven, Conn.; pastor, First Church, New Haven, 1789–1805.

DAYTON, ELIAS (1737–1807): Elizabethtown, Essex Co.; see Appendix II.

DAYTON, JOHNATHAN (1760–1824): Elizabethtown, Essex Co.; see Appendix II.

DEARE, JONATHAN (ca. 1739–1796): England, New Brunswick, Middlesex Co., and Princeton, Somerset Co.; see Appendix II.

DELANCEY, JAMES (1703–1760): N. Y.; lawyer; N.Y. Supreme Court justice, 1731; chief justice, 1733; lt. gov., New York, 1753–1760; opposed Livingston faction.

DEMOSTHENES (384 B.C.–322 B.C.): Athens; orator and statesman; wrote *Philippic* series.

DENNIS, PATRICK: New York City, Bernards, Somerset Co., and Elizabethtown, Essex Co.; commissioner, Marine Dept., N.Y., 1778; deputy customs naval officer, Eastern Dist., N.J., 1789.

DICK, SAMUEL (1740–1812): Salem, Salem Co.; physician; Provincial Congress; col., Salem militia, June 20, 1776; N.J. Assembly, 1776–1777; collector of customs, West Jersey, Dec. 12, 1778; member, Cont. Congress, 1783–1784; surrogate, Salem Co., 1785.

DICKINSON, JOHN (1732–1808): Pa., Del.; brother of Philemon Dickinson; Pa. delegate, Cont. Congress, 1774–1776; Del. delegate, 1776–1777, 1779–1780; brig. gen., Pa. militia; pres. of Del., 1781; pres. of Pa., 1782–1785; delegate, Constitutional Convention, 1787 (see vols. 1, 2, & 4).

DICKINSON, PHILEMON (1739–1809): Hunterdon Co.; see Appendix II.

DIGBY, ROBERT (1732–1815): Great Britain; admiral; commanded *Dunkirke*, battle of Quiberon Bay, 1759; commanded in Pal-

liser's division off Ushant, 1778; rear admiral, 1779; 2d in command, Rodney's expedition for relief of Gibraltar, 1779; commander in chief, North America, 1781–1783 (see vol. 4).

DIRCKS (DIRICKS, DIRKS), JACOB GERHARD: The Netherlands; capt., Cont. army, Nov. 15, 1776; brevet lt. col., Nov. 5, 1778; discharged, May 17, 1781 (see vols. 2–4).

DODSLEY, JAMES (1724–1797): Great Britain; London bookseller; member of bookseller's club the Congeries; suggested plan of receipt tax to Rockingham's administration, 1782.

DONGAN, THOMAS (1634–1715): Ireland, N. Y., England; soldier; colonial administrator; gov., N.Y., 1683–1688.

DOUGLAS, SIR CHARLES (d. 1789): Great Britain; naval officer; carried stores to Quebec, 1775; relieved Quebec, 1776; created baronet, 1777; captain of fleet, battle of Dominica, 1782; commander in chief, Halifax Station, 1783–1786; rear admiral, 1787; commander, North America, 1789; died before he could serve.

DUANE, JAMES (1733–1797): N. Y.; see Appendix II.

DUFFELS (DUFFEL, DUFFELL), EDWARD (1754–1835): Greenwich, Gloucester Co.; pvt., 3d battalion, Gloucester; pvt., Col. Richard Somers' battalion, state troops.

DUNLAP, JOHN (1747–1812): Ireland and Pa.; published *Pa. Packet*, Philadelphia, 1771; printer for Congress, 1776–1779; member, Phila. Common Council, 1789.

ELLSWORTH, OLIVER (1745–1807): Conn.; lawyer; member, Cont. Congress, 1777–1784; delegate, Constitutional Convention, 1787; member, U.S. Senate, 1789–1796; chief justice, U.S. Supreme Court, 1796–1799.

ELMER, JONATHAN (1745–1817): Cumberland Co.; nephew of Theophilus Elmer; physician; delegate, Cont. Congress, 1776–1778, 1781–1784, 1787–1788; member, N.J. Legislative Council, 1780 and 1784; trustee, College of N.J. (Princeton), 1782–1795; surrogate, Cumberland Co., 1784–1802; member, U.S. Senate, 1789–1791 (see vols. 1 & 2).

EWING, JAMES (d. 1823): Greenwich, Cumberland Co.; commissioner, continental loan office, N.J., 1785; mayor, Trenton, 1797–1803; auditor and commissioner, state loan office (see vol. 4).

EWING, JOHN (1732–1802): Philadelphia; Presbyterian clergyman and educator; professor of natural philosophy, University of Pa. after 1779.

EWING, MASKELL, JR. (1758–1825): Greenwich, Cumberland Co.; clerk, N.J. Assembly; moved to Pa., 1803.

FITCH, JOHN (1743–1798): Conn., Trenton, Hunterdon Co., Pa., and Ky.; inventor and surveyor; operated gun factory in Trenton during war; built steamboats, 1785–1796.

FLOYD, WILLIAM (1734–1821): N.Y.; member, Cont. Congress, 1774–1777 and 1778–1783; State Senate, N.Y., 1784–1788 and 1808; U.S. Congress, 1789–1791 (see vols. 1 & 3).

FORMAN, DAVID (1745–1797): Freehold, Monmouth Co.; see Appendix II.

FRANKLIN, BENJAMIN (1706–1790): Pa.; negotiated peace treaty with Great Britain, 1782–1783; pres., Pa. Executive Council, 1785–1788; delegate, Constitutional Convention, 1787; pres., Pa. Abolition Society (see vols. 1–4).

FRENCH, PHILIP (ca. 1697–1777): New Brunswick, Middlesex Co.; see Appendix II.

FURMAN, MOORE (1728–1808): Kingwood, Hunterdon Co.; deputy quartermaster gen., Cont. army, 1778–1780 (see vols. 2–4).

GANSEVOORT, HARME (1712–1801): Albany, N.Y.; merchant; city clerk, Albany, 1750–1764.

GANSEVOORT, LEONARD (1751–1810): Albany, N.Y.; lawyer; son of Harme Gansevoort; N.Y. Assembly, 1778, 1779, 1788; delegate, Annapolis Convention, 1786; member, Cont. Congress, 1787–1788; N.Y. Senate, 1791–1793; judge, Albany Co., 1794–1797; judge, probate court, 1799–1810 (see vol. 1).

GARDOQUI, DON DIEGO MARÍA DE: Spain; merchant and diplomat; educated in En-

- gland; negotiated with John Jay in Spain; appointed chargé de affaires to U.S., 1784 (see vol. 4).
- GATES, HORATIO (1727–1806): England and N. Y.; gen., Cont. army to 1783; settled in Va.; moved to N.Y., 1790 (see vols. 1, 2, & 4).
- GEORGE III (1738–1820): king of Great Britain, 1760–1820 (see vols. 1–4).
- GERRY, ELBRIDGE (1744–1814): Mass.; member, Cont. Congress, 1776–1781, 1782–1785; delegate, Constitutional Convention, 1787; member, U.S. Congress, 1789–1793; diplomatic mission to France, 1797; vice-pres., U.S., 1813–1814.
- GORHAM, NATHANIEL (1738–1796): Mass.; merchant and legislator; member, Cont. Congress, 1782–1783, 1785–1789; delegate, Constitutional Convention, 1787.
- GRAHAM, ENNIS, SR. (d. 1777): Great Britain and N. Y.; merchant; lived in N.Y. and Middlesex Co.; owned land in N.J. and N.Y.
- GRAND, FERDINAND: France; banker; negotiated with John Jay in Spain; owned country residence in Passy.
- GRAY, GEORGE (1725–1800): Pa.; Quaker; member, Pa. Assembly 1772–1787; member, General Committee on Safety, 1776, 1777; Pa. War Board, 1777; speaker, Pa. General Assembly, 1783–1787.
- GRAYSON, WILLIAM (1736–1790): Va.; lawyer, soldier, and legislator; aide to Washington, 1776–1779; commissioner, Board of War, 1779–1781; member, Cont. Congress, 1785–1787; U.S. Senate, 1789–1790.
- GRENVILLE, GEORGE NUGENT-TEMPLE, EARL TEMPLE (1753–1813): England; member of parliament, Buckinghamshire, 1774–1779; lord-lt., Ireland & privy councillor, 1782–1783, 1787–1789; 2d Earl Temple, 1779; Marquis of Rockingham, 1784.
- GRIFFITH, WILLIAM (1766–1826): Middlesex Co., Burlington Co; lawyer and writer; wrote annual U.S. Law Register; expert on N.J. land titles; appointed Burlington Co. surrogate, 1789.
- GROTIUS, HUGO (1583–1645): The Netherlands; statesman, jurist, and writer; author of *Mare Liberum*, 1608.
- HALL, EDWARD: Queen's Town, Queen Anne's Co., Md.; capt.; speaker, Md. House of Delegates, 1800.
- HALSTED, MATTHIAS (1759–1824): Elizabethtown, Essex Co.; major, N.J. militia; judge, Court of Common Pleas, Essex Co., 1781; judge, Court of Common Pleas, Middlesex Co., 1784 (see vols. 1, 3, & 4).
- HAMILTON, ALEXANDER (1757–1804): N.Y.; lawyer; col., Cont. army; member, Cont. Congress, 1782–1783, 1788; delegate, Annapolis Convention, 1786; delegate, Constitutional Convention, 1787; U.S. secy. of treasury, 1789–1795 (see vol. 4).
- HARDY, SAMUEL (ca. 1758–1785): Virginia; lawyer; member, Va. House of Delegates, 1778, 1780–1782; Va. Executive Council, 1781–1782; Va. lt. gov., 1782; member, Cont. Congress, 1783–1785.
- HARING (HERRING), CORNELIUS: Bergen Co.; capt., N.J. militia; captured by British, released, 1783; agent for confiscated estates, Bergen Co.; deputy surveyor, Bergen Co.
- HARRIS, EPHRAIM (1732–1794): Fairfield, Cumberland Co.; N.J. Assembly, 1776–1777, 1782–1784, 1786–1787, 1792–1793; N.J. Legislative Council, 1778 (see vol. 2).
- HAWKESWORTH, JOHN (c. 1715–1773): England; author; friend of Samuel Johnson; wrote "Edgar and Emmeline;" director, East India Company.
- HAYES (HAYS), SAMUEL (1728–1811): Newark, Essex Co.; freeholder; maj., N.J. militia, to 1783; deputy surveyor, Bergen Co. and Essex Co., 1754–1796 (see vol. 4).
- HAZARD, EBENEZER (1744–1817): Pa.; surveyor-general, U.S. Post Office, 1776–1782; postmaster-general, 1782–1789; published *Historical Collections*, 1792–1794.
- HEINEKEN, JAN HENDRICK CHRISTIAAN: The Netherlands; consul to Va., 1785.
- HENDERSON, THOMAS (1743–1824): Freehold, Monmouth Co.; maj., N.J. militia and Cont. army; physician; N.J. Assembly,

1780–1784; master in chancery, 1790; N.J. Legislative Council, 1793–1794, 1812–1813; acting gov., N.J., 1794; member, U.S. Congress, 1795–1797; judge, Court of Common Pleas, 1783–1799 (see vols. 2–4).

HENDRICKS, BAKER: Elizabethtown, Essex Co.; American spy during war; arrested for counterfeiting and trading with enemy, 1777, not tried.

HENLEY, JOHN (1692–1756): Great Britain; orator and writer.

HENRY, PATRICK (1736–1799): Va.; lawyer; member, Va. House of Burgesses, 1765; delegate, Cont. Congress, 1774; gov., Va., 1776–1779, 1784–1786; opposed ratification of Constitution.

HERODOTUS (fifth century B.C.): Asia Minor; author of *History*; travelled throughout Egypt, Greece, and southern Italy.

HERSCHEL, SIR WILLIAM (1738–1822): Hanover, Germany, and Great Britain; astronomer; discovered Uranus, 1781.

HETFIELD (HATFIELD), CORNELIUS, JR. (1742–1823): Elizabethtown, Essex Co., N. Y., Nova Scotia, and England; see Appendix II.

HICKS, WHITEHEAD (d. 1780): N. Y.; mayor, N.Y.C.; judge, N.Y. Supreme Court, 1776.

HILLS, JOHN SLOSS (1738–1805): Fairfield Co., Conn. and N. Y.; lawyer; member, N.Y. Council of Safety, 1777; justice, N.Y. Supreme Court, 1777–1798; U.S. Senate, 1798; judge, U.S. District Court, N.Y., 1798–1805.

HOFFMAN, ALIDA LIVINGSTON HANSON (1728–1790): N. Y. and N. J.; see Appendix II.

HOOPER, ROBERT LETTIS III (1709–1785): Trenton, Hunterdon Co.; judge, Court of Common Pleas, Hunterdon Co., 1782; Leg. Council, 1785–1788.

HOOPER, WILLIAM (1742–1790): N. C.; member, Cont. Congress, 1774–1777; Va. Assembly, 1777–1778.

HOPKINS, PETER: Newton, Sussex Co.; member, N.J. Assembly, 1781 (see vol. 4).

HOPKINSON, FRANCIS (1737–1791): Pa. and Bordentown, Burlington Co.; judge,

Pa. Admiralty Court, 1779–1780, 1787; judge, U.S. District Court for Eastern District of Pa., 1789–1791 (see vols. 1–3).

HOUSTON, WILLIAM C. (1746–1788): Princeton, Mercer Co., and Trenton, Mercer Co.; see Appendix II.

HOWE, SIR WILLIAM (1729–1814): Great Britain; commander in chief British troops in America, 1775–1778; lt. gen. of ordnance, 1782–1803 (see vols. 1–3).

HUGG, JOSEPH (ca. 1741–1796): Gloucester Co.; surrogate, Gloucester Co., 1787–1788.

HUME, DAVID (1711–1776): Great Britain; historian and philosopher; wrote numerous histories of England and *Philosophical Essays* (1748).

HUNTER, ROBERT (1666–1734): Scotland, England, N. Y., N. J., and Jamaica; see Appendix II.

HUNTINGTON, SAMUEL (1731–1796): Conn.; member, Continental Congress, 1776–1784; lt. gov., Conn., 1785; gov., Conn., 1786–1796 (see vols. 3 & 4).

HUTCHINS, THOMAS (1730–1789): Monmouth Co. and Pa.; surveyor and military engineer; officer in British army to 1780; imprisoned in England; escaped to France, and then to U.S.; served under Gen. Nathanael Greene; appointed U.S. geographer, 1781; supervised survey of northwest territory, 1785.

INNOCENT XIII (1655–1724); Roman Catholic pope, 1721–1724.

JAMES I (1566–1625): Great Britain; king of Scotland, 1567–1625; king of England, 1603–1625.

JAY, ANNA (1783–1856): N. Y.; daughter of John and Sarah Livingston Jay; WL's granddaughter.

JAY, FREDERICK (1747–1799): N. Y.; brother of John Jay; married Margaret Barclay; later married Euphemia Dunscombe.

JAY, SIR JAMES (1732–1815): N. Y., and Springfield, N.J.; brother of John Jay; physician; suspected Loyalist (see vol. 4).

JAY, JOHN (1745–1829): N. Y.; see Appendix II.

JAY, MARIA (1782–1856): born Madrid, Spain, N. Y.; daughter of John and Sarah

- Livingston Jay; granddaughter of WL; married Goldsborough Banyar (see vol. 4).
- JAY, PETER (1734–1813): Rye, N.Y.: landowner and horticulturist; brother of John Jay; married Mary Duyckinck, 1789.
- JAY, PETER AUGUSTUS (1776–1843): N. Y.; see Appendix II.
- JAY, SARAH (“SALLY”) VAN BRUGH LIVINGSTON (1756–1802): N. J. and N. Y.; see Appendix II.
- JEFFERSON, THOMAS (1743–1826): Va.; governor, Va. 1779–1781; member, Cont. Congress, 1783–1785; minister to France, 1785–1789; U.S. secy. of state, 1789–1793; vice pres., U.S., 1797–1801; pres., U.S., 1801–1809 (see vols. 1 & 4).
- JOHNSON, SAMUEL (1709–1784): Great Britain; writer and educator; wrote and compiled parliamentary debates for *Gentleman's Magazine*; published *English Dictionary*, 1755; defended English policies in America, 1775.
- JOHNSON, SIR WILLIAM (1715–1774): Great Britain, N. Y.; landowner; superintendent of Indian affairs, 1755–1774; negotiated Treaty of Fort Stanwix, 1768.
- JONES, WALTER (1745–1815): Va.; physician; physician-general, middle military department, 1777; Va. House of Delegates, 1787–1789; delegate, Va. Ratification Convention, 1788.
- JORDAN, JACOB (1741–1796): Canada; merchant, landowner and speculator; married Ann Livingston, 1767.
- KELLY, JOHN (1746–1827): Ireland and N. Y.; lawyer and speculator; Loyalist.
- KEMPE, JOHN TABOR (1735–1795): England and N. Y.; lawyer; N.Y. attorney general, 1759–1783; Loyalist; fled to England, 1783.
- KETTeltas, PETER, SR.: New York City; Henry Brockholst Livingston's father-in-law; merchant; partner in the Old Insurance Office.
- KETTeltas, PETER, JR.: New York City; merchant; brother-in-law of Henry Brockholst Livingston; trustee, N.Y. Society Library, 1788.
- KINSEY, JAMES (1731–1802): Burlington Co.; see Appendix II.
- KLOCK, GEORGE (1714–1792): N. Y.; Indian trader and land speculator; purchased quit-claims in Canajoharie Patent, 1760; prosecuted for fraud and trespass, 1763–1790s.
- KNOX, HENRY (1750–1806): Mass.; col., Cont. army, regt. of artillery, Nov. 17, 1775; brig. gen. and chief of artillery, Dec. 27, 1776; maj. gen. 1782; appointed secy. of war by Congress, Mar. 8, 1785 (see vols. 1, 3, & 4).
- KOLLOCK, SHEPARD (1750–1839): Chatham, Morris Co., and Elizabethtown, Essex Co.; see Appendix II.
- LAMB, JOHN (1735–1800): N. Y.; capt., independent co., N.Y. artillery, June 30, 1775; wounded, taken prisoner at Quebec, Dec. 31, 1775; maj.-commandant, artillery, northern dept., Jan. 9, 1776; col., 2d Cont. artillery, Jan. 1, 1777; wounded, Compo Hill, Apr. 28, 1777; commander, West Point, 1780; brig. gen., 1783; retired from military, June 1783; collector of customs at port N.Y., 1784–1797 (see vol. 4).
- LANSING, JOHN, JR. (1754–1829): N. Y. jurist; adj. gen., N.Y. militia, 1777; military secretary to Philip Schuyler; member, N.Y. Assembly, 1780–1788; member, Congress, 1784–1785; mayor, Albany, 1786–1790; delegate, Constitutional Convention, 1787; delegate, N.Y. Ratifying Convention, 1788; justice, N.Y. Supreme Court, 1790–1801 (see vol. 2).
- LATHROP, DANIEL (1712–1782): Norwich, Conn.; grad., Yale, 1733; built successful pharmaceutical business with brother Joshua.
- LATHROP, JOSHUA (1723–1807): Norwich, Conn.; grad., Yale, 1743; built successful pharmaceutical business with brother Daniel; daughter married Rev. David Austin.
- LAWRENCE, CATHARINE LIVINGSTON (b. 1733): Livingston Manor and New York City; see Appendix II.
- LAWRENCE, JOHN (1721–1764): Long Island and New York City; see Appendix II.
- LAWRENCE (LAURENCE), JOHN, SR. (1709–1794): Upper Freehold, Monmouth Co., and Burlington, Burlington Co.; lawyer and land surveyor; Loyalist; father of Dr. John Lawrence; judge, oyer and terminer,

1766; justice of the peace, 1768; confined to house of Rensselaer Williams, July 1776; imprisoned in Burlington, 1777; member of "Junto" in 1789 national election.

LEE, ARTHUR (1740–1792): Va.; brother of Richard Henry Lee, Francis Lightfoot Lee, and William Lee; colonial agent in London, 1774–1776; appointed U.S. commissioner to France, Oct. 22, 1776; sought aid from Spain and Prussia, 1777; recalled, Sept. 27, 1779; returned to America, Sept. 1780; member, Va. House of Delegates, 1781–1783, 1785, 1786; member, Cont. Congress, 1781–1784; commissioner of Indian treaties, 1784–1785; member, U.S. Treasury Board, 1785–1789 (see vols. 2, 4).

LEE, RICHARD HENRY (1732–1794): Va.; brother of Arthur Lee, Francis Lightfoot Lee, and William Lee; member, Cont. Congress, 1774–1780, 1784, 1787; pres., Cont. Congress, 1784 (see vol. 2).

LE ROY, HERMAN: The Netherlands; Dutch consul to N. Y. and N. J., 1784.

LE SAGE, ALAIN RENÉ (1668–1747): France; novelist and dramatist; author of *The Comical Adventures of Gil Blas* (1715).

LEWIS, LEONARD (LINDERT), SR.: Dutchess Co., N.Y.; sheriff; judge.

L'HOMMEDIUE, EZRA (1734–1811): Southhold, N.Y.; lawyer; framer, N.Y. Constitution, 1777; member, N.Y. Assembly to 1783; N.Y. Senate, 1783–1809; N.Y. Council of Appointment, 1784; member, Cont. Congress, 1779–1783; clerk of Suffolk County, N.Y., 1784–1810; founder, University of the State of N. Y., 1787.

LINN, JAMES (1749–1821): Bedminster Township, Somerset Co.; see Appendix II.

LINN, MARY LIVINGSTON (1753–1839): New York City, Elizabethtown, Essex Co.; see Appendix II.

LINN, WILLIAM (1752–1808): theologian; pastor, Presbyterian Church, Big Spring (Newville), Pa., 1777–1784; Elizabethtown Presbyterian Church, 1784–1785; Collegiate Dutch Reformed Church, N.Y.C., 1787–1805; pres. pro tempore of Rutgers College, 1791–1794, trustee, 1787–1808; regent, University of the State

of N.Y., 1787–1808; chaplain, House of Representatives, 1st Cong., 1789–1791.

LITTLEPAGE, LEWIS (1762–1802): Va.; aide to Jay's delegation, Spain, 1780–1782; accompanied Duke de Crillon on campaign against Minorca, 1781; participated in Spanish siege of Gibraltar, 1782; challenged John Jay to duel in Paris, 1783; returned to America, 1785; published a series of defamatory newspaper articles against Jay in N. Y., 1785; confidential emissary to the king of Poland, 1786–1795; returned to Va., 1801.

LITTLETON, SIR EDWARD (1589–1645): England; jurist; barrister, Inner Temple, 1617; chief justice of North Wales, 1621; M.P., Leamington, 1625–1626, 1627–1628; framed the Petition of Right, 1628; recorder of London, 1631; solicitor-general, 1634; knighted, 1635; chief justice of the common pleas, 1640; lord keeper, 1641; created Baron Littleton, 1641.

LITTLETON, SIR THOMAS (1422–1481): England; jurist; sheriff of Worcestershire, 1447; sergeant-at-law, 1453; king's sergeant, 1455; justice of the common pleas, 1466; knighted, 1475; author of *Tenures* (n.d.), principal authority on English real property law.

LIVINGSTON, ALIDA SCHUYLER VAN RENSSELAER (1656–1727): Albany and Livingston Manor; see Appendix II.

LIVINGSTON, CATHARINE KETTeltas (1761–1801): New York City; see Appendix II.

LIVINGSTON, CHRISTINA TEN BROECK (1718–1801): Albany, N. Y., and New York City; see Appendix II.

LIVINGSTON, ELIZABETH (b.1786): New York City; daughter of Henry Brockholst and Catharine Ketteltas Livingston; married Jasper Hall Livingston.

LIVINGSTON, HENRY BROCKHOLST (1757–1823): New York City, Elizabethtown, Essex Co.; see Appendix II.

LIVINGSTON, JOHANNES (1680–1720): Albany, N. Y., and New London, Conn.; see Appendix II.

LIVINGSTON, JOHN (1714–1786): Albany, N. Y., and New York City; see Appendix II.

- LIVINGSTON, JOHN HENRY (1746–1825): Poughkeepsie, N. Y. and New York City; see Appendix II.
- LIVINGSTON, JOHN LAWRENCE (1762–1781): Elizabethtown, Essex Co.; see Appendix II.
- LIVINGSTON, MARY LENNINGTON (1770–1854): Elizabethtown, Essex Co., Long Island, and New York City; see Appendix II.
- LIVINGSTON, PETER VAN BRUGH (1712–1792): Livingston Manor, New York City, and Elizabethtown, Essex Co.; see Appendix II.
- LIVINGSTON, PHILIP, JR. (1716–1778): Albany, N. Y., and New York City; see Appendix II.
- LIVINGSTON, PHILIP PHILIP (1741–1787): Albany, N. Y., and Jamaica, W.I.; see Appendix II.
- LIVINGSTON, ROBERT (1654–1728): Scotland, The Netherlands, N. Y.; see Appendix II.
- LIVINGSTON, ROBERT, JR. (1708–1790): N.Y.; see Appendix II.
- LIVINGSTON, ROBERT R. (1746–1813): N. Y.; see Appendix II.
- LIVINGSTON, SARAH (1752–1814): New York City and New Brunswick, Middlesex Co.; see Appendix II.
- LIVINGSTON, SUSANNAH (1748–1840): New York City, Elizabethtown, Essex Co., and Cleveland, Ohio; see Appendix II.
- LIVINGSTON, SUSANNAH FRENCH (“SUKEY”) (1723–1789): New York City and Elizabethtown, Essex Co.; see Appendix II.
- LIVINGSTON, WALTER (1740–1797): N. Y.; see Appendix II.
- LIVINGSTON, WILLIAM, JR. (1754–1817): New York City and Elizabethtown, Essex Co.; see Appendix II.
- LIVINGSTONE, JOHN (1603–1672): Scotland and The Netherlands; see Appendix II.
- LLOYD, RICHARD: Upper Freehold, Monmouth Co.; 1st Lt., Capt. Imlay’s co., 3d battalion, 1st establishment, Feb. 7, 1776; capt., Col. Moses Hazen’s regiment (2d Canadian), Cont. army, Sept. 20, 1777; discharged 1783; brevet major.
- LOCKE, JOHN (1632–1704): England; philosopher.
- LONGWORTH, ISAAC: Newark, Essex Co.; shopkeeper; joined British army, 1776; N.J. property confiscated, 1777.
- LOUDON, SAMUEL (1727–1813): England and New York City; printer; immigrated to N.Y.C., 1753; published *N.Y. Packet*, in N.Y.C., Jan. 1776–Aug. 1776, and at Fishkill, N.Y., Jan. 1777–1783; N.Y. state printer, 1777; returned to N.Y.C., 1783.
- LOUIS XVI (1754–1793): king of France, 1774–1793 (see vols. 2, 4).
- LOW, ABRAHAM: Kingston, Ulster Co., N.Y.; high sheriff of Ulster Co.
- LUZERNE, CHEVALIER DE LA (1741–1791): France; minister to U.S., 1779–1784 (see vols. 3 & 4).
- MCWHORTER, ALEXANDER (1734–1807): Md. and Elizabethtown; see Appendix II.
- MADISON, JAMES (1751–1836): Va.; Va. Executive Council, 1778–1780; member, Cont. Congress, Mar. 20, 1780–Dec. 1783; member, Va. House of Delegates, 1784–1786; delegate, Annapolis Convention, 1786; delegate, Constitutional Convention, 1787; member, Cont. Congress, 1786–1788; co-author, *The Federalist*; U.S. secy. of state, 1801–1809. pres. U.S., 1809–1817 (see vol. 4).
- MARBOIS, FRANCOIS BARBÉ (1745–1837): France; secretary to French legation to U.S., 1779; consul gen. and chargé d’affaires, 1781–1785; married daughter of William Moore, 1784 (see vol. 4).
- MARRINER, WILLIAM: New Brunswick, Middlesex Co.; capt. of privateer; captured on Long Island, exchanged; captured Loyalists in raids on Long Island, 1778.
- MARSHALL, JOHN (1755–1835): Va.; lawyer and jurist; 1st Lt., 3d Va. Cont. regiment, July 30, 1776; capt., 7th Va. regiment, 1779, resigned military commission, 1781; delegate, Va. House of Burgesses, 1780, 1782–1788; member, Va. Executive Council, 1782–1795; delegate, Va. Ratification Convention, June 2, 1788.
- MARTIN, ABSALOM: Bernardsville, Somerset Co.; son of Ephraim Martin; paymas-

ter, 4th N.J., Nov. 23, 1776; 1st Lt., 1st N.J., Mar. 2, 1777; regimental paymaster, Feb. 1, 1779–June 1783; capt., 1783.

MARTIN, EPHRAIM (1733–1806): Hardyston, Sussex Co., and Bernardsville, Somerset Co.; member of Provincial Congress from Sussex, 1775; col., Sussex militia, Mar.–Apr. 1776; col., Gen. Benjamin Heard's brigade, June 14, 1776; wounded, battle of Long Island, Aug. 27, 1776; justice of the peace, Sept. 13, 1776; col., Cont. army, Nov. 28, 1776, to at least 1779; member, N.J. Privy Council 1779–1780, 1781–1789 (see vol. 1).

MARTIN, LUTHER (1744–1826): born in New Brunswick, Middlesex Co.; lawyer; grad., College of N. J. (Princeton), 1766; teacher, Queenston, Md., 1766–1771; admitted to Va. bar, Sept. 1, 1771; attorney general, Md., 1778–1805; member, Cont. Congress, 1784, 1785; delegate, Constitutional Convention, 1787.

MASILLON, JOHN BAPTIST (1663–1742): France; cleric; appointed bishop of Clermont, 1717.

MASON, GEORGE (1725–1792): Va.; planter and statesman; member, Va. Committee of Safety, 1775; framed Va. Declaration of Rights, 1776; member, Va. Assembly, 1776–1780, 1786; delegate, Constitutional Convention, 1787; campaigned against ratification of Constitution at state convention, 1788.

MEHELM, JOHN (1735–1809): Tewksbury, Hunterdon Co.; schoolteacher and farmer; member, N.J. Assembly, 1772–1776; Provincial Congress, 1775–1776; col., Hunterdon Co. militia; musterman, eastern and western 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 (see vol. 4).

MEREDITH, SAMUEL (1741–1817): Philadelphia; merchant; maj. and lt. col., 3d battalion of associators, 1776; brig. gen., Pa. militia, Apr. 5, 1777; resigned, 1778; member, Cont. Congress, 1787, 1788; surveyor of port of Phila., Aug. 1, 1789; first U. S. treasurer under the Constitution, Sept. 11, 1789–Dec. 1, 1801.

MICHAUX, ANDRÉ (1746–1802): France; botanist and explorer; arrived in America to study, cultivate, and ship plants for the French government, 1785; established nurseries at Bergen Neck, N.J., and at Charleston, S.C.

MIFFLIN, THOMAS (1744–1800): Pa.; member, Cont. Congress, 1774–1775, 1782–1784; quartermaster gen., Aug. 14, 1775–June 5, 1776, Oct. 1, 1776–Dec. 8, 1777; col., Dec. 22, 1775; brig. gen., May 16, 1776; maj. gen., Feb. 19, 1777; Board of War, Nov. 7, 1777; resigned as maj. gen., Feb. 25, 1779; trustee, University of Pa., 1778–1791; appointed by Congress to a special board to consider expenses, Jan. 1780; speaker, Pa. House of Representatives, 1785–1788; delegate, Constitutional Convention, 1787; pres., Supreme Executive Council of Pa., Oct. 1788–Oct. 1790; pres. Pa. Convention for new state constitution, 1790; gov., Pa., 1790–1799 (see vol. 2).

MINTO, WALTER (1753–1796): Scotland and N. J.; mathematician and astronomer; educated Edinburgh, Scotland; immigrated to America, 1786; professor of mathematics and natural philosophy, College of N. J. (Princeton), 1787–1796.

MIRANDA, FRANCISCO DE (ca. 1750–1816): born, Caracas, Venezuela; revolutionary; enlisted in Spanish army, 1771; imprisoned for disobedience; sent to Cuba with Spanish army, 1780; fled to U.S., June 1783; traveled through U.S. and Europe to raise support for liberation of Spain's colonies in Latin America, 1783–1792; joined Simón Bolívar in liberation of Venezuela, 1810; became dictator of Venezuela, 1811; captured by Spanish, 1811; died in Spanish prison in Cádiz.

MONTGOLFIER, ETIENNE (1745–1799): France; inventor; brother of Joseph; launched first successful unmanned hot-air balloon, Annonay, France, June 5, 1783.

MONTGOLFIER, JOSEPH (1740–1810): France; inventor; brother of Etienne; launched first successful unmanned hot-air balloon, Annonay, France, June 5, 1783.

MOORE, DAVID (1747–1803): Cumberland Co.; Capt. Morgan's co., 2d regiment, Middlesex; lt. col., state artillery, Cont. army; presidential elector, Jan. 7, 1789.

- MORGAN, GEORGE (1743–1810): Pa.; land speculator and Indian agent; partner representing trading firm of Baynton, Wharton, and Morgan in Illinois country; secretary-agent of Indiana Co., 1776; Indian agent for Congress in middle dept.; deputy commissary-general of purchases, western district; resigned, 1779; appointed N.J. agent to Congress to settle western lands, Dec. 18, 1783; founded colony of New Madrid, Missouri, 1789.
- MORRIS, GOUVERNEUR (1752–1816): N. Y. and Pa.; N.Y. member, Cont. Congress, 1777–1780; asst. minister of finance 1781–1785; Pa. delegate, Constitutional Convention, 1787; returned to N.Y., 1788; went to France as business agent for Robert Morris, 1789; U.S. minister to France, 1792 (see vols. 2–4).
- MORRIS, ROBERT (1734–1806): Pa.; see Appendix II.
- MORSE, JEDIDIAH (1761–1826): Conn. and Mass.; Congregational minister; grad., Yale, 1783; pastor, First Church, Charlestown, Mass., 1789–1819; published *Geography Made Easy* (1784), and reissued as *American Geography* (1789), with dedication to W.L.
- MOTT, JAMES, JR. (1739–1823): Middletown and Dover, Monmouth Co.; N.J. Assembly, 1776–1779; N.J. state treasurer, 1783–1799 (see vols. 1, 3, 4).
- MULAY, MOHAMMED (d. 1790): emperor of Morocco, 1757–1790.
- NEILSON, JOHN (1745–1833): Raritan Landing, Somerset Co.; see Appendix II.
- NEWTON, SIR ISAAC (1642–1727): England; mathematician and natural philosopher; author of *Principia* (1687).
- NUMA PAMPILIUS (715–673 B.C.): second king of ancient Rome.
- O'BRIEN (OBRYEN), RICHARD (1758–1824): Philadelphia; mariner and privateer; capt., *Dauphin*; captured by Algerians, July 30, 1785; captive, 1785–1795; U.S. consul general to Algiers, 1797–1803.
- OGDEN, ABRAHAM (d. 1798): Morristown, Morris Co., and Newark, Essex Co.; lawyer, surrogate; son of Loyalist David Ogden; prerogative court, 1767; member, N.J. Assembly, 1790.
- OGDEN, MATTHIAS (1755–1791): Elizabethtown; Essex Co.; see Appendix II.
- OKELY, JOHN (1721–1792): Bethlehem, Pa.; dep. quartermaster gen., 1777; Pa. commissioner, N.J.–Pa. Delaware River boundary dispute, 1785.
- OSGOOD, SAMUEL (1748–1813): Andover, Mass., and N. Y.; capt., Lexington militia, Apr. 1775; maj. and aide to Maj. Gen. Artemus Ward, July 20, 1775–Apr. 23, 1776; Mass. delegate to Cont. Congress, 1781–1784; member, Mass. House of Representatives, 1784; 1st commissioner, U.S. Treasury, 1785–1789; U.S. postmaster general, 1789–1791.
- OTTO, LOUIS GUILLAUME (1754–1817): born Kork, Handu-Lichtenberg (Baden), France; French chargé de affaires in America, 1785–1789; married Elizabeth Livingston, daughter of Peter Van Brugh Livingston.
- PARKER, JAMES (1725–1797): Perth Amboy, Middlesex Co.; see Appendix II.
- PASCAL, BLAISE (1623–1662): France; mathematician and philosopher.
- PATERSON, WILLIAM (1745–1806): Ireland and N. J.; see Appendix II.
- PATTERSON, ROBERT (1743–1824): Ireland and Philadelphia; mathematician; immigrated to America, 1768; Pa. militia instructor, 1775–1779; brig. gen.; professor of mathematics, University of Pa., 1779–1814; member, American Philosophical Society, 1783.
- PECK, JOHN (ca. 1732–1811): Newark, Essex Co.; judge; Committee of Observation for Newark, 1774; capt., 2d regiment, Essex Co. militia; resigned, 1777; justice of the peace, Newark, 1777; judge, court of common pleas; N.J. Privy Council, 1786–1788.
- PEMBERTON, JAMES (1723–1809): Philadelphia; see Appendix II.
- PENDLETON, EDMUND (1721–1803): Va.; member, Cont. Congress, 1774–1775; Va. House of Delegates, 1776–1777; judge, Va. general court and Va. court of chancery, 1777; presiding judge, Va. court of Appeals, 1779–1803 (see vol. 2).
- PENN, THOMAS (1702–1775): England and Pa.; son of William Penn; proprietor of

Pa., 1727; managed Pa.'s affairs in Philadelphia, 1732-1741; thereafter managed them from England.

PENN, WILLIAM (1644-1718): Quaker founder of Pa.

PHILIP V (1683-1746): king of Spain, 1700-1746 (see vol. 4).

PHILOSTRATUS, FLAVIUS (ca.170-244/49 A.D.): Sophistic writer and philosopher; author of *Life of Apollonius of Tyana*.

PHIPPS, SIR CONSTANTINE (1656-1723): England; barrister, Gray's Inn, 1684; senior member, Gray's Inn, 1706; knighted, 1710; lord chancellor of Ireland, 1710-1714.

PHIPPS, SIR WILLIAM (1651-1695): Mass.; merchant and treasure hunter; cousin of Sir Constantine Phipps; knighted and appointed provost-marshal of New England, 1687; commander of unsuccessful expedition against Quebec, 1690; governor, Mass., 1691-1694.

PICKERING, TIMOTHY (1745-1829): Salem, Mass., Philadelphia, and Wyoming Valley, Pa.; 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; moved to Wyoming Valley, 1787, and organized Luzerne County; U.S. postmaster general, 1791 (see vols. 3 & 4).

PIERCE, JOHN, JR. (1718-1788): Conn.; assistant paymaster-general, Cont. army, Feb. 10, 1779; deputy paymaster-general, June 1, 1779; paymaster-general, Jan. 17, 1781; commissioner of army accounts, 1785-1788.

PINCKNEY, CHARLES (1757-1824): S. C.; planter and lawyer; member, Cont. Congress, 1784-1787; delegate, Constitutional Convention, 1787; submitted "Pinckney draught" for constitution; governor, S.C., 1789-1792, 1797-1799, 1807-1809.

PLUME, ISAAC (1734-1797): Newark, Essex Co.; ensign, Capt. Joseph Alling's co., "Minute Men," Essex Co., Feb. 21, 1776; Newark overseer of roads, 1791.

PLUTARCH (ca. A.D. 46-ca.127): Greek biographer and moralist; author of the *Lives*.

POMFRET, JOHN (1667-1702): England;

poet and clergyman; rector of Maulden, 1695-1702; of Millbrook, 1702; chiefly remembered for "The Choice" (1700), which gained him inclusion in Samuel Johnson's *Lives of the Poets*.

POPE, ALEXANDER (1688-1744): England; poet and essayist; among his many noted works is "Rape of the Lock" (1712).

POTTS, STACY (1731-1816): Crosswicks, Monmouth Co.; paper-mill owner; Quaker; moved to Harrisburg, Pa., about 1790 (see vol. 2).

REED (READ), BOWES (1740-1794): Burlington Co.; brother of Joseph; brother-in-law of Charles Pettit; col., Burlington militia, Sept. 28, 1776-Mar. 31, 1778; secretary of state, N.J., Oct. 7, 1778-1794; mayor, Burlington, 1784; clerk in chancery, 1787 (see vols. 1-4).

REED, JAMES: Perth Amboy, Middlesex Co.; capt., Asher F. Randolph's Co., state troops.

REMSEN, 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 vol. 4).

RICHARDSON, ANN (d. 1784): England; married Matthew Ridley, 1775.

RIDLEY, CATHERINE ("KITTY," "CATY") WILHELMINA LIVINGSTON (1751-1813): New York City, Elizabethtown, Essex Co., Baltimore, and Philadelphia, see Appendix II.

RIDLEY, ESSEX (1776-1796): England, Md., N. Y.; son of Matthew Ridley and Anne Richardson.

RIDLEY, MATTHEW (1749-1789): England and Baltimore; see Appendix II.

RIDLEY, NICHOLAS (c.1500-1555): England; theologian; ancestor of Matthew Ridley; studied Cambridge, Sorbonne, and Louvain; rejected Roman doctrines for Calvinist; master of Pembroke Hall, Cambridge, 1540; king's chaplain, 1540; canon of Canterbury, 1541; canon of Westminster, 1545; bishop of Rochester, 1547; bishop of London, 1550; sent to Tower of London for supporting Lady Jane Grey, 1553; declared a heretic and burnt alive, 1555.

- RIDLEY, SUSAN (b. 178?): daughter of Catharine Livingston and Matthew Ridley.
- RIVINGTON, JAMES (1724–1802): London, Philadelphia, New York City, and Boston; see Appendix II.
- ROBINSON, BEVERLY (1722–1792): N. Y. and Thornbury near Bath, England; Loyalist; married Susanna, daughter of Frederick Phillips; col., Loyal American Regiment; involved in Benedict Arnold conspiracy; went to England, 1783.
- RODGERS, JOHN (1727–1811): New York City; Presbyterian clergyman; pastor of Brick Church, N.Y., 1766; vice-chancellor, University of N. Y.
- ROGERS, WILLIAM (1751–1824): Pa.; clergyman; chaplain, Miles' Pa. rifle regiment, 1776; chaplain, Patton's Cont. regiment, 1777; brigade chaplain, 3d Pa. brigade, 1778; retired, 1781.
- RONALD, WILLIAM (1750–1793): Va.; delegate, Annapolis Convention, 1786.
- ROSS, DAVID (1755–1800): Md.; planter and lawyer; major, William Grayson's Additional Cont. regiment, Jan. 1, 1777–Dec. 20, 1777; admitted to the bar, 1783; practiced law in Frederick Co., Md.; member, Cont. Congress, 1786–1788.
- ROSS, GEORGE (1753–1796): Elizabethtown, Essex Co.; physician; Elizabethtown Committee of Observation, 1774; ensign, Capt. Joseph Meeker's co., 1st battalion, 1st establishment, Dec. 10, 1775; 2d lt., Capt. Ephraim Anderson's co., 2d battalion, 2d establishment; 2d lt., Capt. Samuel Reading's co., 2d battalion, 2d establishment, Feb. 5, 1777; retired, Sept. 26, 1780; librarian, Elizabethtown Library Association, 1792.
- ROUSSEAU, JEAN-JACQUES (1712–1778): France; philosopher and writer.
- RUTHERFORD, JOHN (1760–1840): New York City and Sussex Co.; lawyer; grad., College of N.J. (Princeton), 1782; studied law with William Paterson; moved to Sussex Co., 1787; N.J. Assembly, 1788; appointed elector for federal election, 1789; U.S. Senate, 1790.
- RUTLEDGE, JOHN (1739–1800): S.C.; Cont. Congress, 1774–1776; pres., S.C., 1776–1778; gov., S.C. 1778–1782; member, S.C. legislature, 1781; member, Cont. Congress, 1782–1783; elected to S.C. Chancery Court, 1784; delegate to Constitutional Convention, 1787, chairman, committee of detail; chief justice, S.C., Feb. 1791 (see vols. 1–4).
- ST. CLAIR, ARTHUR (1736–1818): Scotland and Pa.; col., Pa. militia, 1775; col. Cont. army, Jan. 3, 1776; brig. gen., Aug. 9, 1776; maj. gen., Feb. 19, 1777; court-martialed, exonerated, Sept. 1778; member, military tribunal that tried and convicted Major John André, 1780; member, Pa. Council of Censors, 1783; Cont. Congress, Nov. 2, 1785–Nov. 28, 1787; pres., Cont. Congress, 1787; gov., Northwest Territory, 1789; maj. gen. and commander, U.S. army, Mar. 4, 1791 (see vol. 2).
- ST. JOHN, HENRY, VISCOUNT BOLINGBROKE (1678–1751): England; statesman and essayist; M.P. for Wootten-Bassett, 1701; prepared bill for security of Protestant succession, 1701; secretary at war, 1704–1708; secretary of state, 1710; created viscount, 1712; peace negotiator, treaty of Utrecht, 1713; dismissed from office on the accession of George I, 1714, fled to France; returned to England and joined Walpole's party, 1724; wrote numerous philosophical, historical, and political essays.
- SARPI, PAOLO (1552–1623): Venice; theologian; defended secular authority Republic of Venice against incursions of Pope Paul V; wrote *History of the Council of Trent* (published in English, 1619).
- SCHEUREMAN (SCHEURMAN), JAMES (1756–1824): New Brunswick, Middlesex Co.; member, N.J. Assembly, 1783–1785, 1788; member, Cont. Congress, 1786–1787; elected as Federalist, First Congress, Mar. 4, 1789.
- SCHUYLER, HARMANIS: Albany, N.Y.; assist. commissary gen., Northern Dept., 1776; high sheriff, Albany Co.
- SCHUYLER, PHILIP JOHN (1733–1804): N. Y.; statesman and landowner; maj. gen., Cont. army, 1775–1779; member, Cont. Congress, 1778–1781; N.Y. State Senate, 1780–1784; state senator, western New

- York district, 1780–1784, 1786–1790; elected as Federalist to U.S. Senate, Mar. 4, 1790 (see vols. 1–4).
- SCOTT, JOHN MORIN (1730–1784): N. Y.; see Appendix II.
- SEATON (SETON), WILLIAM: New York City; merchant; cashier, Bank of N.Y., 1784; father-in-law of Mary Elizabeth (Mother) Seton.
- SHAW, JOSEPH (1671–1733): England; jurist; published legal writings and letters to his patron, Anthony Ashley Cooper, 3d earl of Shaftesbury.
- SHAYS, DANIEL (1747–1825): Mass.; farmer; 2d lt., Woodbridge's Mass. regiment, May–Dec., 1775; capt., 5th Mass., Jan. 1, 1777; resigned, Oct. 14, 1780; led rebellion against Mass. authorities, 1786–1787; condemned to death, pardoned, June 1788.
- SHERMAN, ROGER (1721–1793): New Haven, Conn.; statesman; member, Cont. Congress, 1774–1781, 1783, 1784; mayor, New Haven, 1784–1793; delegate, Constitutional Convention, 1787; elected, 1st Congress, Mar. 4, 1789–Mar. 3, 1791; elected, U.S. Senate, June 13, 1791–July 23, 1793 (see vols. 1–3).
- SHUTE, WILLIAM: Elizabethtown, Essex Co.; merchant; capt. and paymaster 2d N.J., Nov. 28, 1775; resigned, Apr. 2, 1778; ensign and paymaster 2d N.J., June 17, 1780; N.J. battalion, April 1783–Nov. 3, 1783; opened general store and served as postmaster, Elizabethtown.
- SIDNEY, ALGERNON (1622–1683): England; statesman; member of the Council of State under Oliver Cromwell, 1653, 1659; exiled at restoration, Charles II, 1660; returned to England, 1677; implicated in Rye House plot, June 1683; executed, December 1683.
- SILVESTER, PETER (1734–1808): Albany and Kinderhook, N.Y.; attorney; member, Albany Common Council, 1772; Committee of Safety, 1774; 1st and 2d Provincial Congress, 1775, 1776; judge, Court of Common Pleas, Columbia Co., 1786; regent, University of the State of N.Y., 1787–1808; N.Y. State Assembly, 1788; elected to First Congress, Mar. 4, 1789.
- SINNICKSON, THOMAS (1744–1817): Salem, Salem Co.; merchant; capt. 2d battalion, Salem; customs naval officer, Western District, N.J., Dec. 12, 1778; member, N.J. Assembly, 1777, 1782, 1784, 1785, 1787, 1788; elected to First Congress, 1789.
- SMALLWOOD, WILLIAM (1732–1792): Md.; col., Md. battalion, January 1776; maj. gen., Sept. 1780; gov., Md., 1785–1788.
- SMITH, ISAAC (1740–1807): Trenton, Hunterdon Co.; judge; col., 1st regt., Hunterdon, 1776; justice, N.J. Supreme Court, Feb. 15, 1777–1804.
- SMITH, MERIWETHER (1730–1790): Essex Co., Va.; Essex Committee of Safety, 1774; member, Va. House of Burgesses, 1774, 1775; delegate, Va. Revolutionary Conventions, 1775, 1776; member, Va. House of Delegates, 1776–1778; member, Continental Congress, 1778–1782; member, Va. House of Delegates, 1781, 1782, 1785, 1788; delegate, Ratification Convention, June 1788.
- SMITH, SAMUEL STANHOPE (1750–1819): Princeton, Mercer Co.; Presbyterian clergyman and educator; professor, moral philosophy, College of N.J. (Princeton), 1779–1812; promoted study of natural science.
- SMITH, THOMAS (1734–1800): N. Y.; see Appendix II.
- SMITH, WILLIAM (1728–1814): Baltimore, Md.; merchant; Cont. Congress, 1777–1778; member, committee to organize the defense of Baltimore and receive Gen. George Washington, 1781; elected as Federalist to Congress, Mar. 4, 1789 (see vol. 2).
- SMITH, WILLIAM PEARTREE (1723–1801): New York City, Elizabethtown and Newark, Essex Co.; see Appendix II.
- SMOLLETT, TOBIAS GEORGE (1721–1771): Great Britain; novelist, founder, *The Critical Review* (1756); published, *History of England* (1757); imprisoned for libel, 1759; published *Travels* (1763); published *The Expedition of Humphry Clinker* (1771) (see vol. 1).
- SMYTH, FREDERICK (ca. 1732–1815): London, Perth Amboy, Middlesex Co., and Pa.; see Appendix II.

- SMYTH (SMITH), JOHN (1722–1786): Perth Amboy, Middlesex Co., New York City, and England; see Appendix II.
- SPENSER (SPENCER), ELIHU (1721–1784): Trenton, Hunterdon Co.; Presbyterian clergyman; pastor, First Presbyterian Church, Nov. 18, 1769–Dec. 7, 1784; hospital chaplain, Oct. 20, 1777–Nov. 9, 1780; chaplain, Provincial Congress (see vols. 3 & 4).
- SPRAGG (SPRAGUE), W. B. (d. 1794): Elizabethtown, Essex Co.; Methodist clergyman; rector of St. John's Episcopal Church, 1789.
- STEELE, RICHARD (1672–1729): England; author and statesman; published *The Tatler*, 1709–1711, and with Joseph Addison, *The Spectator*, 1711–1712.
- STERNE, LAURENCE (1713–1768): Great Britain; clergyman; author, *The Life and Opinions of Tristram Shandy, Gentleman* (York & London, 1759–1767) (see vols. 2, 3).
- STUBEN, FRIEDRICH WILHELM AUGUSTUS, BARON VON (1730–1794): Prussia and N.Y.; see Appendix II.
- STEVENS, JOHN, JR. (1749–1838): New York City and Hoboken, Bergen (now Hudson) Co.; see Appendix II.
- STEWART, CHARLES (1729–1800): Kingwood, Lebanon, Hunterdon Co.; col., N.J. militia, 1775–1776; commissary gen. of issues, June 18, 1777–July 24, 1782; member, Cont. Congress, 1784–1785 (see vols. 2, 4).
- STILES, EZRA (1727–1795): New Haven, Conn.; Congregational clergyman, scholar, educator; tutor, Yale, 1749; pastor, 2d Congregational Church, Newport, R. I., 1755; librarian, Redwood Library, Newport, 1756–1776; pres., Yale College, 1778; posthumously published, *The Literary Diary of Ezra Stiles* (1901), and *Extracts from the Itineraries . . . of Ezra Stiles, etc.* (1916), ed., Franklin B. Dexter.
- STOCKTON, SAMUEL WITHAM (1751–1795): Princeton and Trenton, Mercer Co.; see Appendix II.
- TEN BROECK, ABRAHAM (1734–1810): Albany, N.Y.; attorney; member, Colonial Assembly, 1760–1765; member, Provincial Congress, Apr. 20, 1775; Continental Congress, 1775; col., N.Y. militia, 1775; gen., N.Y. militia, Jan. 1776; brig. gen., N.Y. militia, June 25, 1778; resigned, Mar. 26, 1781; pres., N. Y. State Convention, 1776; pres., Committee of Safety, Dec. 1776; mayor, Albany, Apr. 9, 1779–June 26, 1783; state senator, 1780–1783; justice, court of common pleas, 1781–1794 (see vol. 4).
- THAXTER, JOHN, JR. (1755–1791): Mass.; Abigail Adams' cousin; private secretary to John Adams; delivered definitive peace treaty to Congress, Nov. 1783.
- THOMAS, JOHN (d. 1780): Rye, N.Y.; father of Thomas Thomas and John Thomas, Jr.
- THOMAS, JOHN, JR. (b. 1732): Rye, N.Y.; Westchester Co. Committee of Safety, 1776.
- THOMAS, THOMAS (1745–1824): Rye, N.Y.; Committee of Safety, Westchester Co.; col., N.Y. militia, July 16, 1776; imprisoned, Cherry Valley, Nov. 10, 1778; released, May 15, 1779.
- THOMPSON, BENJAMIN (1753–1814): Somerset Co.; Cong. commissioner to settle N.J. accounts, 1783–1785; took over Lord Stirling's Hibernia ironworks, Morris Co., 1785; purchased an additional 5000 acres of Morris Co. timberland from East New Jersey Proprietors, 1788.
- THOMSON, CHARLES (1729–1824): Philadelphia; merchant; secy., Cont. Congress, 1774–1789; retired, 1789 (see vols. 1–3).
- THOMSON (THOMPSON), MARK (1739–1803): Sussex Co.; miller; member, Provincial Congress; judge, 1775–1776; col., Sussex militia, July 10, 1776; col., N.J. militia, July 18, 1776; resigned prior to June 6, 1777; member, General Assembly, 1779; Privy Council, 1786–1788 (see vol. 1).
- TILLERY (TILLARY), JAMES: New York City; physician and politician; secy. for the Society for Promoting the Manumission of Slaves; member St. Andrew's Society.
- TINDAL, MATTHEW (1657–1753): Great Britain; deist; published *The Rights of the Christian Church Asserted* (1706).
- TOLAND, JOHN (1670–1722): Great Britain; deist; published *Christianity not Mysteriorious* (1696).

TUCKER, SAMUEL (1721–1789): Trenton, Mercer Co.; see Appendix II.

TUCKER, ST. GEORGE (1752–1828): Va.; attorney; secy. and aide-de-camp to Gen. Thomas Nelson, 1779; maj. and lt. col., Va. militia, 1780–1781; wounded, Guilford, Mar. 15, 1781; judge, Gen. Court of Va.; professor of law, College of William and Mary.

TURNER, GEORGE (1738–1804): S. C.; 2d lt., 1st S.C., June 17, 1775; 1st lt., May 16, 1776; capt., Apr. 28, 1777; deputy commissary gen. prisoners, Charleston, 1780; imprisoned, May 12, 1780; exchanged; commissary of marine prisoners, Oct. 15, 1782–May 12, 1783; brevet major, Sept. 30, 1783.

VAN BERCKEL, PIETER JOHAN (d. 1800): The Netherlands; brother of pensionary of Amsterdam Englebort Francois van Berckel; Dutch minister to the U.S., 1783–1787.

VAN CORTLANDT, AUGUSTUS (1728–1823): N. Y.; co-owner, Oriskany Patent; cousin of John Jay.

VAN DYKE, NICHOLAS (1738–1789): Del.; attorney; delegate, Del. State Constitutional Convention, July 1776; Council of Del., 1777; speaker of council, 1779; judge of admiralty, Feb. 21, 1777; member, Cont. Congress, 1777–1782; signer, Articles of Confederation; pres., Del., Feb. 1, 1783–Oct. 27, 1786.

VAN HORNE, DAVID (d. 1807): N. Y.; merchant; with WL, member of Whig Club, 1752; capt., Cont. regt., June 5, 1777; retired, Apr. 23, 1779 (see vol. 4).

VAN HORNE, GARRET: N. Y.; John Jay's 1st cousin.

VAN RENSSELAER, JOHANNES (JOHN) (1708–1783): N. Y.; major and lt. col., N. Y. militia, 1775–1776.

VAN RENSSELAER, NICHOLAS (1754–1848): N. Y.; 2d lt., 2d N.Y., June 28, 1775; 1st lt., Feb. 16, 1776; 1st lt., 1st N.Y., Nov. 21, 1776; capt., 1st N.Y., Sept. 1778; retired Jan. 1, 1781.

VAN RENSSELAER, STEPHEN (1764–1839): N. Y.; 8th patroon, Manor of Rensselaer; 1st cousin of WL; maj., N.Y. militia, 1786; col., 1788; N.Y. State Assembly, 1789–1791.

VARICK, RICHARD (1755–1831): N. Y.; capt., Cont. army, June 28, 1775–Sept. 24, 1776; aide-de-camp, secy. to Philip Schuyler, June 1776; lt. col., deputy commissary gen. of musters, Apr. 10, 1777–June 1780; aide-de-camp to Benedict Arnold, 1777, Aug. 1780; cleared of complicity with Arnold's treason; secy., Gen. George Washington, May 25, 1781; recorder, N.Y.C., 1784; coauthor of codification N.Y. statutes, 1789; speaker, N.Y. assembly, 1787–1788; N.Y. state attorney general, 1788–1789; Federalist mayor, N.Y.C., 1789–1801 (see vol. 2).

VAUGHAN, BENJAMIN (1751–1835): Great Britain; son of Samuel Vaughan, Sr.; propagandist in England for the American cause; coeditor with Benjamin Franklin of *Political, Miscellaneous and Philosophical Pieces* (1779); promoted confidence between American and English commissioners during peace negotiations, 1782; published plea for free trade, *A Treatise on International Trade* (1789).

VAUGHAN, SAMUEL, SR.: Jamaica, W.I., Boston, and Great Britain; planter; pro-American friend of Benjamin Franklin's; immigrated to America, 1784, settled, N.Y.

VAUGHAN, SARAH HALLOWELL: wife of Samuel Vaughan, Sr.; mother of Benjamin and John Vaughan.

VIAR, JOSEPH IGNACIO DE: Spain; secy. of Gardoquis; Spanish chargé d' affaires in N.Y., 1789.

VOLTAIRE, FRANÇOIS-MARIE AROUET (1694–1778): France; writer and philosopher.

VOORHEES, HENDRICK GERRITSE, SR. (ca. 1696–1765): Topenamus, Lower Freehold Township, Monmouth Co.; planter; moved to Freehold from Flatlands, L.I., 1717.

VOORHEES, SARAH SCHENCK (1701–1794): Topenamus, Lower Freehold Township, Monmouth Co.; see Appendix II.

VOORHEES, WILLIAM (1738–1821): Topenamus, Lower Freehold Township, Monmouth Co.; son of Hendrick Voorhees and Sarah Schenck Voorhees; farmer; pvt., Capt. Waddell's co., 1st regiment, Monmouth Co., 1776; legal agent for Sarah Voorhees, 1788.

- VOS VAN STEENWIJK, CARL (b. 1759): The Netherlands; politician; member, Dutch Patriot party; member, Dutch delegation to U.S., 1783; pres., Representative Assembly, 1795.
- WALKER, BENJAMIN (d. 1818): N. Y.; 2d Lt., 1st N.Y., August 1775; 1st Lt., Feb. 24, 1776; capt., 4th N.Y., Nov. 21, 1776; aide-de-camp to Baron Frederick von Steuben, Sept. 3, 1778; lt. col., aide-de-camp to Gen. George Washington, Jan. 25, 1782—end of war.
- WALL, GEORGE (1745–1803): Pa.; capt.; commissioner to settle N.J.—Pa. boundary dispute.
- WALPOLE, ROBERT (1676–1745): Great Britain; statesman; 1st lord of the treasury and chancellor of the exchequer, 1721–1742.
- WARD, PETER (1756–1812): Bergen Co.; capt., light horse, Bergen militia; capt., Maj. Samuel Hayes' battalion, state troops, 1781–1782; freeholder, Bergen Co., 1788 (see vols. 3 & 4).
- WARING, RICHARD (1760–1814): Charleston, S.C.; physician.
- WASHINGTON, GEORGE (1732–1799): Va.; commander in chief, Cont. army, June 15, 1775; resigned Dec. 23, 1783; pres., Constitutional Convention, 1787; 1st president of the U.S., Apr. 30, 1789.
- WATKINS, JUDITH LIVINGSTON (1758–1843): New York City, Elizabethtown, Essex Co.; see Appendix II.
- WATSON, BROOK (1735–1807): Great Britain; attorney and merchant; commissary at the sieges of Beausejour, 1755, and Louisbourg, 1758; commissary gen., Canada, 1782–1783; commissary gen., Royal Commission on the Losses and Services of American Loyalists, 1783–1785; M.P., London, 1784–1793; director, Bank of England, 1786; sheriff, London, 1786.
- WATSON, JAMES (1750–1806): Conn., New York City; attorney and merchant; lt., Conn. regiment, 1776; capt., Jan. 1, 1777; resigned, July 15, 1777; purchasing commissary for Conn., 1780; moved to N.Y.C., 1786.
- WATTS, JOHN (1715–1789): New York City; merchant; Loyalist; father of Robert and John Watts, Jr.; member, N.Y. Council, 1758; left for England, 1775; attained Oct. 22, 1779; N.Y. estate confiscated.
- WATTS, JOHN, JR. (1749–1836): New York City; last provincial recorder, N.Y.; member, N.Y. Assembly, 1791–1793; brother of Robert Watts.
- WATTS, MARY ALEXANDER (1749–1831): Basking Ridge, Somerset Co., and New York City; see Appendix II.
- WATTS, ROBERT (1743–1814): New York City; see Appendix II.
- WEARE, MESHECH (1713–1786): N. H.; pres., N.H. Council; chairman, Committee of Safety, 1776–1784; chief justice, 1776–1782; pres., N.H., 1784; resigned, 1785 (see vols. 3–4).
- WEST, GILBERT (1703–1756): Great Britain; author; published *Observations on the Resurrection* (1747); clerk, Privy Council, 1752.
- WHITE, HENRY (1732–1785): New York, Bath, England; merchant; Loyalist; cousin of John Jay; attained, Oct. 22, 1779; moved to England, 1781.
- WHITTELSEY, CHAUNCEY (1717–1787): New Haven, Conn.; Congregationalist clergyman; supervised WL's freshman class at Yale; pastor, 1st Church of New Haven, 1758–1787.
- WILLIAM V (1748–1806): The Netherlands; prince of Orange; general stadholder, 1751–1795; immigrated to Great Britain, 1795 (see vols. 2 & 4).
- WILSON, PETER (1746–1825): Scotland, New Barbadoes, Bergen Co.; see Appendix II.
- WITHERSPOON, JOHN (1722–1794): Scotland, Princeton, Mercer Co.; see Appendix II.
- 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; member, N. J. assembly, 1778 (see vol. 4).
- WOODRUFF, SARAH: Elizabethtown, Essex Co.; wife of Isaac Woodruff.
- WYTHE, GEORGE (1726–1806): Va.; attorney and politician; professor of law, College of William and Mary; Cont. Con-

gress, 1775–1777; speaker, Va. House of Delegates, 1777; judge, Va. High Court of Chancery, 1778; delegate, Constitutional Convention, 1787.

YATES, ABRAHAM, JR. (1724–1796): Albany, N.Y.; attorney, politician, and pamphleteer; chairman, Albany Committee of Correspondence, 1774–1776; head, N.Y. Constitutional Convention, 1776–1777; state senator, 1777–1790; receiver, Albany, 1778, 1779; 1st postmaster, Albany, 1783; member, Cont. Congress, 1787–1788; mayor, Albany, 1790–1796 (see vol. 4).

YATES, PETER WALDRON (1747–1826): Al-

bany, N.Y.; attorney; nephew of Abraham Yates; member, Committee of Correspondence, 1775; regent, Univ. of the State of N.Y., 1784; member, N. Y. State Assembly, 1784–1785; Cont. Congress, 1785–1787 (see vol. 4).

YOUNG, JOHN (d. 1781): seaman; capt. of sloop *Independence*, 1778; capt. of sloop *Saratoga*, 1780; lost at sea, March 1781.

ZABRISKI (SABRISKI), JOHN (1741–1794): New Bridge, Bergen Co.; miller; tax collector; Loyalist; arrested, took oaths of allegiance, 1777; fled to British, 1780; property confiscated, 1783.

APPENDIX IV

*List of Documents Not Published\**

1783

- April 18 To George Washington, DLC:GW  
22 From [Sir Guy Carleton], NN, ViCW  
May 2[3] To [Isaac Plume], MHi  
6 From Richard Sorentz, MHi  
10 From Caleb Camp, NN, ViCW  
14 From Sir Guy Carleton, NN, ViCW  
17 To Sir Guy Carleton, NN, ViCW  
17 From Robert Digby, MHi  
21 From Elias Dayton, Nj  
26 From George Washington, DLC:GW  
28 From Robert Morris, DNA:RG, 45  
28 To James Pemberton, PHi, MHi  
June 8 To Moses Hazen, DNA:PCC, 5L  
8 From George Washington, DLC:GW  
10 From Robert Morris, DLC:Robert Morris  
12 Message to the Assembly, Nj  
12 From Sir Guy Carleton, MHi, ViCW, NN

\* These documents have been published in the Microfilm Edition of *The Papers of William Livingston*.

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- 18 From George Washington, Nj, DLC:GW  
 20 From Sir Guy Carleton, NN, ViCW  
 21 From Robert Morris, Nj  
 22 From [Sir Guy Carleton], NN  
 [24] From Elias Boudinot, DNA:PCC, 16  
 July 2 Report of Committee of Congress, DNA:  
 DCC, 20  
 12 To John Stevens, Jr., MHi  
 24 From Robert Morris, DLC:Robert Morris  
 28 From Robert Morris, *Correspondence of the  
 Executive*, 343–46  
 August 7 From John Livingston, MHi  
 18 From George Washington, NjP  
 21 Bond of Brampton Hitchcock and Abra-  
 ham Rand, NjP  
 24 From John Livingston, MHi  
 25 From Sir Guy Carleton, NN, ViCW  
 September 2 Proclamation, *N.J. Gazette*, Dec. 16, 1783  
 5 From John Dickinson, PHarH  
 10 From John de Neufuille, MHi  
 15 From Rollander [Comp], MHi  
 27 From Sir Guy Carleton, NN, ViCW  
 October [1–31] To James Duane, NHi  
 1 To Robert Livingston, NHi  
 7 Petition of William Pace, Nj  
 22 From Samuel Hayes, Nj  
 [25] From [Leonard] de Neufuille, MHi

- November 5 From John Pierce, Nj
- 10 From Benjamin Thompson, MHi
- 11 Proclamation, Evans, *Political Intelligence*,  
*N.J. Advertiser*
- 11 Proclamation [Court Martial], Evans, *Political Intelligence*, *N.J. Advertiser*, *Rivington's Royal Gazette*
- 25 Commission to Garret Longstreet, Private Collection of Pauline S. Miller
- 26 From Hector St. John de Crèvecoeur, DLC: Julia Kunkle
- 29 From Henry Brockholst Livingston, MHi
- December 6 To Peter Augustus Jay, NNC
- 6 From George Washington, *N.J. Gazette*, Dec. 9, 1783
- [10] From David Brearley, MHi
- 12 To Peter Augustus Jay, NNC
- 15 From William Floyd, MHi
- 16 From Peter Augustus Jay, NNC
- 16 To Peter Augustus Jay, NNC
- 18 Commission To George Morgan, DNA: PCC, 42
- 23 From Thomas Mifflin, Nj
- 25 From Benjamin Harrison, Nj, Vi
- 26 From Thomas Mifflin, DNA:PCC, 16
- 1784
- [Jan. – Dec.] To Susannah French Livingston, MHi
- January 4 From Thomas Mifflin, MHi
- 7 From George Aikenhead, MHi

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- 8 From John Beatty, MHi
- 10 From Thomas Mifflin, MHi, DNA:PCC
- 12 From David Brearley, DLC:Misc
- 14 From Franklin Davenport, MHi
- 15 From Marquis de la Roverie, Nj
- 15 From Henry Brockholst Livingston, MHi
- 15 Petition of Pallmer Phillips, MHi
- 16 From William C. Houston, MHi
- 16 From Charles Thomson, MHi
- 17 From Henry Brockholst Livingston, MHi
- 22 From John Beatty, MHi
- 29 Petition of Moses Juins, MHi
- 31 From Henry Brockholst Livingston, MHi
- February 2 From James Mott, MHi
- 3 From Henry Brockholst Livingston, MHi
- 4 From Robert Ogden, Jr., MHi
- 6 From Henry Brockholst Livingston, MHi
- 7 From Isaac Collins, MHi
- 8 From Henry Brockholst Livingston, MHi
- 10 From Bowes Reed, MHi
- 14 From Israel Shreve, MHi
- 15 From William Shreve, MHi
- 15 From Peter Tallman, MHi
- 16 From Bowes Reed, MHi
- 17 From Isaac Collins, MHi
- 18 From Henry Glen, MHi

- 19 To John Beatty, Sedgwick, *Livingston*, 246
- 20 From John Beatty, MHi
- 23 From Abraham Bancker, MHi
- 24 From Isaac Collins, MHi
- 25 From Abraham Ogden & William Paterson, MHi
- 28 From Peter Waldron Yates, MHi
- March 1 From Jonathan Deare, MHi
- 2 From Abraham Bancker, MHi
- 2 From Isaac Collins, MHi
- 2 From John Young Noel, MHi
- 2 From Bowes Reed, MHi
- 4 From Henry Brockholst Livingston, MHi
- 4 From George Wall, MHi
- 5 From Peter Van Brugh Livingston, MHi
- 9 From Abraham Ogden, MHi
- 10 From Samuel W. Stockton, MHi
- 11 From John Cumming, MHi
- 11 From Bowes Reed, MHi
- 12 From Abraham Bancker, MHi
- 12 From Joseph Bloomfield, MHi
- 12 From Henry Glen, MHi
- 12 From Abraham Ogden, MHi
- 14 From Hector St. John de Crèvecoeur, MHi
- 16 From Henry Brockholst Livingston, MHi
- 20 From Henry Brockholst Livingston, MHi

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- 20 From Thomas Randall, MHi
- 23 From Philemon Dickinson, NN
- 25 From Jonathan Elmer, MHi
- 25 From Peter Tallman, MHi
- 26 From Richard Morris, MHi
- 27 From Elisha Lawrence, MHi
- 29 From Benjamin Manning, MHi
- 31 From Henry Brockholst Livingston, MHi
- 31 From Henry Brockholst Livingston, MHi
- April 5 Proclamation, *N.J. Gazette*, Apr. 20, 1784
- 5 Proclamation, *N.J. Gazette*, Apr. 20, 1784
- 6 From John Beatty, MHi
- 7 From David Brearley and John Cleves Symmes, MHi
- 8 From Peter W. Yates, MHi
- 10 From George Clinton, MHi
- 13 From David Brearley, PHi
- 13 From Bowes Reed, MHi
- 20 From Thomas Clarke, MHi
- 20 From Alexander Douglass, MHi
- 21 From Thomas Mifflin, Nj
- 22 From Thomas Mifflin, Nj
- May 3 From Elisha Boudinot, MHi
- 3 From William Burnet, MHi
- 6 From Samuel Van Horn, MHi
- 11 From Isaac Smith, MHi

- 17 From George Morgan, MHi
- 26 From Robert Morris, Nj
- 29 From Henry Brockholst Livingston, MHi
- 31 From Thomas Mifflin, MHi
- June 1 From [John] Vaughan, MHi
- 2 From Henry Brockholst Livingston, MHi
- 3 From Benjamin Manning, MHi
- 4 From Josiah Hornblower, MHi
- 7 From John Carle, MHi
- 7 From Henry Brockholst Livingston, MHi
- 10 To Benjamin Franklin, PPAmP
- 10 To Thomas Jefferson, MHi
- 12 From [. . .] [Burr], MHi
- 15 From Ellis [Banon] and Thomas Crowell, Jr., MHi
- 17 From Ephraim Harris, MHi
- 23 From Bowes Reed, MHi
- 24 From James Mott, MHi
- 26 From John Beatty, MHi
- July 2 From Peter Van Brugh, MHi
- 17 From William C. Houston, MHi
- August 2 From Dirck Romeyn, Adam Boyd, and Peter Watson, MHi
- 16 From John Lawrence, MHi
- 18 From Ephraim Bowen, MHi
- 21 From Henry Brockholst Livingston, MHi

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- 24 Warrant to Sarah Crane, Nj
- 30 To Coonrod Van Wagner, CtY
- September 8 From William C. Houston, MHi
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*William Livingston to Elijah Clarke, February 17, 1787*

"I am really more distressed by the posture of our public affairs, than I ever was by the most gloomy appearances during the late war. We do not exhibit the virtue that is necessary to support a republican government; and without the utmost exertions of the more patriotic part of the community and the blessing of God upon their exertions, I fear that we shall not be able, for ten years from the date of this letter, to support that independence which has cost us so much blood and treasure to support. . . .

Our situation, sir, is truly deplorable, and without a speedy alteration of measures, I doubt whether you and I shall survive the existence of that liberty for which we have so strenuously contended."

*William Livingston to John Jay, July 19, 1787*

"By a notification I received yesterday from Philadelphia that one of my colleagues is obliged to return home I am obliged to set out for that cool City & excellent fish market to morrow. Mrs. Livingston will take care to send Peter by a safe hand. He has had no relapse since he has been here, & afforded me great pleasure in my solitude.

I cannot be reconciled to the absurdity of putting him in Ovid's Epistles. . . . The frequent allusions to history that abound in those Epistles, & with which Boys of Peter's age cannot be presumed to be acquainted, & the difference of the state of poets & [prose] writers render the absurdity, evident to every man except Schoolmasters."

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