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SPLINTERED LOYALTIES:  
THE REVOLUTIONARY WAR IN ESSEX COUNTY, NEW JERSEY

a dissertation

by

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## **Abstract**

### **Splintered Loyalties: The Revolutionary War in Essex County, New Jersey**

**By**

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#### **Dissertation Director: Professor Alan Rogers**

“Splintered Loyalties” is a study of the people of Essex County, New Jersey and their experiences during the American Revolution. It is a careful analysis of their struggle to understand sweeping political change and their efforts to act in their community’s best interest. This dissertation explores the momentous impact the Continental Congress’s decision to declare independence had on Essex residents and stresses that both the British and American governments continued to fight for the hearts and minds of the people of Essex well after 1776. Relying on Essex County’s military, economic, and judicial records and the public and private writings of ordinary people and their leaders, this project illustrates the waxing and waning of popular support for America’s war effort between 1775 and 1783. Popular memory of the Revolution often divides the wartime population into distinct Patriot and Loyalist camps. This dissertation, however, argues that such a dichotomy recognizes neither the complexity of Patriots’ and Loyalists’ relationships with their wartime enemies nor the varying levels of commitment that Essex Patriots demonstrated in the war to establish a new republic.

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## **Introduction**

The people of Essex County, New Jersey had a long and loyal relationship with the British crown. Their stable and prosperous place within the empire was tested in 1774 when a growing number of Americans feared that a conspiracy within the British government jeopardized their liberties. Between 1775-1776, the people of Essex struggled to determine if the crown best protected their freedom and economic prospects or if they should declare independence. Exasperated British officials perceived this debate as driven by self-interested radicals eager to break from the empire and responded with military force that splintered Essex communities into at least three fluid groups -- Patriots, Loyalists, and fence-sitters. General William Howe's invasion in November 1776 cut a swath through Essex County causing Patriots to flee, Loyalists to rally, and fence sitters to consider the benefits of Howe's promise of amnesty. Although the Continental Army's miraculous victories throughout the winter of 1777 brought a quick end to the British occupation of Essex, the region's defenses remained porous. British and Loyalist raiders repeatedly plundered Essex homes and businesses, and some of the county's self-proclaimed Patriots slipped past Continental sentries to sell food and military supplies to the British. Patriot authors struggled to strengthen the people's resolve, and the county's political and military leaders worked to stop the damaging militia delinquency and illegal trade by requiring oaths of allegiance and imposing fines and jail sentences. Their efforts, however, repeatedly fell short. The British believed the impotence of the Revolutionary government would compel the people of Essex to re-

affirm their faith in the British crown, but the devastation that British and Loyalist soldiers inflicted upon Essex communities instead drove fence-sitters towards the Revolutionary government. Slowly, despite scores of setbacks, the commitment of citizen politicians and the county's volunteer military force grew strong enough to repel British attempts to re-establish Parliamentary authority in the region. Patriots won the support of reluctant revolutionaries and convinced them that a republic could be created and sustained as long as the Loyalist residents of Essex County were permanently expelled from the region.

Historians have studied the American Revolution for over two centuries, often focusing on its causes and consequences. Bernard Bailyn, Pauline Maier, T.H. Breen, Gary Nash, and Woody Holton have produced excellent scholarly accounts chronicling the ideological and economic motivations prompting colonists to take up arms against Great Britain and to fight to create an American republic.<sup>1</sup> Their studies provide invaluable insight into the causes of the conflict and the development of the colonists' revolutionary mindset, but the Revolution was more than the political transformation that swept through the colonies between 1760-1775. John Adams was incorrect when he claimed in 1815 that the Revolution was over "before a drop of blood was shed at

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<sup>1</sup> For major works on the ideological or economic origins of the American Revolution see Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, MA: Belknap Press of Harvard University Press, 1967), Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765-1776* (New York: Alfred A. Knopf, 1972), Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill, University of North Carolina Press: 1998), T.H. Breen, *Tobacco Culture: The Mentality of the Great Tidewater Planters on the Eve of the Revolution* (Princeton: Princeton University Press, 1985), Gary B. Nash, *The Northern Seaports and the Origins of the American Revolution* (Cambridge, Harvard University Press, 1979), and Woody Holton, *Forced Founders: Indians, Debtors, Slaves, and the Making of the American Revolution* (Chapel Hill: University of North Carolina Press, 1999).

Lexington.”<sup>2</sup> The American republic did not emerge fully formed from the birth of a new ideology or the signatures of fifty-six men on Congress’s Declaration of Independence. Eight bloody and chaotic years of war pitting supporters of independence against the strongest military power in the Western world and a sizable Loyalist population played an extraordinary role in shaping the new republic. While John Adams dismissed the war as merely the consequence the Revolution, I argue this lengthy conflict influenced both what Americans claimed to be fighting for and their willingness to fight for it long after the Battles of Lexington and Concord.

This dissertation examines the experiences of the ordinary men and women who lived, worked, and fought against an invading British army bent of crushing New Jersey’s attempt to secure its independence. While acknowledging the significance of recent scholarship highlighting the ideological origins of the Revolution, I argue that Americans’ commitment to Whig ideology came at a significant price. The war for independence claimed the lives of hundreds of New Jersey residents, but battlefield casualties comprised only a small portion of the challenges produced by the Revolution. British soldiers fought many battles within New Jersey and lived off of its lands, and as a result of its ongoing and destructive campaign many New Jersey residents were reduced to a state of poverty or starvation. The Patriot camp shared a common belief in the benefits of American independence, but they did not always share a mutual willingness to sacrifice for that goal. America’s political and military leaders wrote passionately about the nobility of their cause and the need for selfless sacrifice in spite of British aggression. This message often failed to engage the people of Essex when they were confronted with

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<sup>2</sup> John Adams to Thomas Jefferson, August 24, 1815 cited in Jill Lepore, *The Whites of Their Eyes: The Tea Party’s Revolution and the Battle over American History* (Princeton: Princeton University Press, 2010), 24.

British military might that denied them the economic benefits of their farms and the emotional support of their families.

The American Revolution also tested citizens' relationships with each other. Colonists were proud members of the British Empire and celebrated both the political liberties its constitution afforded and its military dominance throughout the eighteenth century. The question of independence was a remarkably divisive one that asked British subjects to forego all the benefits their empire offered in favor of an uncertain future.<sup>3</sup> This debate splintered what had been a united colonial population, and the war that followed tore at the social and political fabric of Essex County long after the Continental Congress proclaimed America's independence. Popular opinion concerning the necessity and benefits of independence evolved throughout the war, and many men who initially supported independence temporarily or permanently renounced that goal depending upon the military and economic conditions within their local communities at any given time.<sup>4</sup> Revolutionary New Jersey certainly was not comprised exclusively of Patriots or Loyalists after 1776. Rather, the state's small towns were divided. Steadfast proponents of independence lived amongst committed Loyalists, and "sunshine patriots" whose political allegiance and military enthusiasm waxed and waned throughout the conflict stood somewhere in between. Men who risked their lives on behalf of American independence regularly associated with those who openly rejected that goal or whose behavior sometimes jeopardized the American war effort. The political disagreements

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<sup>3</sup> See Pauline Maier, *American Scripture: Making the Declaration of Independence* (New York: Alfred A. Knopf, 1997), Eric Foner, *Tom Paine and Revolutionary America* (New York: Oxford University Press, 1977), and William Allen Benton, *Whig-Loyalism: An Aspect of Political Ideology in the American Revolutionary Era* (Rutherford: Fairleigh Dickinson University Press, 1969).

<sup>4</sup> David Hackett Fischer, *Washington's Crossing* (Oxford: Oxford University Press, 2004), Willard Sterne Randall, *Benedict Arnold, Patriot and Traitor* (New York: Morrow Publishing, 1990), and John S. Pancake, Jr., *This Destructive War: The British Campaign in the Carolinas, 1780-1782* (University of Alabama: University of Alabama Press, 1985)

between these men permeated all aspects of community life and affected non-political relationships including parishioner and minister, creditor and debtor, father and son, and husband and wife. This project suggests the American Revolution was both an international and domestic conflict that greatly altered the social landscape within American communities. Debates concerning American independence and the means necessary to achieve it produced significant social repercussions and deep hostility between not only Patriots and Loyalists but also men and women within the Patriot camp.

Essex County, New Jersey provides an ideal setting for a study on popular commitment to the Revolutionary War and the social challenges it produced within American communities. Located along New Jersey's northeastern coastline opposite Manhattan and Staten Island, Essex contained three of the oldest settlements within the colony -- Elizabethtown, Newark, and Acquackanonk. These communities and their neighboring villages had a sizable population, and their long-standing connections to the British Empire led many residents to question the benefits of independence. More importantly, while most Americans experienced only minimal and sporadic contact with British or Loyalist troops during the Revolution, Essex residents were particularly exposed to the hostile enemy forces throughout most of the war.<sup>5</sup> British soldiers occupied both New York City and Staten Island between the summer of 1776 and winter of 1783, and their proximity to Essex placed its residents in a state of constant military peril that disrupted every facet of their lives. British soldiers invaded Essex regularly

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<sup>5</sup> New Englanders had minimal contact with enemy soldiers after the British army evacuated Boston in March 1776. Between the summer of 1776 and 1778, British forces focused their energies in the Mid-Atlantic states of New York, New Jersey, and Pennsylvania, but the British leadership abandoned this strategy in favor of a Southern campaign between 1778 and 1782. See Harry M. Ward, *The American Revolution: Nationhood Achieved, 1763-1788* (New York: St. Martin's Press, 1995) and Christopher Hibbert, *Redcoats and Rebels: The American Revolution through British Eyes* (New York: W.W. & Norton Company, 1990).

throughout the Revolution. The people of Essex faced two large-scale British assaults that consisted of several thousand soldiers each and were designed to destroy Washington's Continental Army and restore British authority within New Jersey. They also faced several dozen smaller battles and skirmishes, numerous kidnapping plots, and countless foraging raids. The Revolution endangered the lives and property of the people of Essex for seven consecutive years, leading many to re-evaluate their relationships with their new government and with each other. The burden of war frequently placed political leaders, family members, and friends at odds with each other. They debated the costs and benefits of the Revolution and worked to define acceptable social and political conduct.

I argue that the extraordinary wartime conditions facing the people of Essex County robbed them of the chance to make a simple, one-time decision between Patriotism and loyalty to the crown. By examining the military, economic, and legal experiences of over three thousand men and women in Essex, I demonstrate that a relatively small number of residents manifested either an unwavering ideological or personal commitment to the Revolution during the eight-year conflict. Hundreds of Essex residents flatly rejected the idea of independence in July 1776, and still more would renounce that goal when faced with a British occupational force in December 1776. Although most of those who would become Loyalists had abandoned the Revolution by 1777 and sought refuge with nearby British garrisons, the Essex government faced continued internal threats from those men and women who remained in their homes. These individuals claimed to support the Revolution and considered themselves Patriots, yet a large number of them consistently undermined their government and its war effort in both thought and deed. Many refused to renounce

George III and pledge their allegiance to the new state government because of the great frequency with which British troops entered their communities and harassed local residents. Despite the pressing need for both Continental soldiers and militiamen to defend Essex communities, many residents placed their family and friends in jeopardy by refusing to provide military service or selling scarce provisions to hostile British and Loyalist forces. These ongoing practices produced additional social strife throughout Essex, and steadfast Patriots learned that neither their calls for sacrifice nor any coercive measures would bring an end to this disruptive behavior. The British and American governments engaged in an ongoing tug of war for allegiance and support of the people of Essex, and this battle for their hearts and minds did not end in 1776. The local population was “dubious, afraid, uncertain, and indecisive,” and their reluctance to place themselves and their families in any sort of danger led many people to stake out a middle ground between the Patriot and Loyalist camps for much of the conflict.<sup>6</sup>

This dissertation is divided into six chapters that provide both a chronological and thematic study of the American Revolution within Essex County. Chapter One examines Essex residents’ relationship with the British Empire and their efforts to preserve that empire despite the escalating debate concerning Parliament’s right to levy taxes upon the American colonists. Historians frequently chronicle the imperial crises of the 1760s and early 1770s to illustrate the growing sense of the colonial unity as “Americans” and the radicalization of their Revolutionary movement.<sup>7</sup> I argue, however, that these years do

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<sup>6</sup> John Shy, *A People Numerous and Armed, Reflections on the Military Struggle for American Independence* (Ann Arbor: University of Michigan Press, 1990), 235-236.

<sup>7</sup> For more on growing sense of inter-colonial unity see .H. Breen, *The Marketplace of Revolution: How Consumer Politics Shaped American Independence* (New York: Oxford University Press, 2004), Edward S. Morgan and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution* (Chapel Hill: University of North Carolina Press, 1953), and Richard D. Brown, *Revolutionary Politics in*

not foreshadow an inevitable war for independence, but reflect a continuation of their colonial identity rather than a deviation. The earliest settlers of Essex had few political or cultural connections with Great Britain throughout the seventeenth century, but by the mid-eighteenth century the people of Essex embraced the economic, military, religious, and political ties that bound them to Great Britain. These bonds were severely strained by Parliament's determination to enforce unpopular imperial policies, but they did not break. While many colonists denounced Britain's standing army in America as an oppressive force that threatened their liberty, the people of Essex welcomed British soldiers within their communities. America's political leaders denounced the growing number of British officials in America, yet hundreds of Essex residents continued to embrace the Anglican Church and local ministers who wished to further the king's power by establishing Anglican bishops throughout America. The chapter argues that the people of Essex did not reject their British identity or the British constitution before 1775. Instead, their willingness to utilize increasingly radical means demonstrates the depths of their commitment and their desire to preserve what they regarded as their traditional rights within the empire.

News of the bloodshed at Lexington and Concord, however, permanently changed the nature of the Revolution within Essex County in April 1775. The county's inhabitants strongly believed that the British government sought a military solution to the current political dispute, and they committed themselves to the inter-colonial war effort to preserve their rights as British subjects. While the early Revolutionary movement was a broad coalition of conservative, moderate, and radical voices within Essex County, the

growing debate on the necessity of American independence shattered this coalition and produced deep social rifts within Essex communities. Chapter two illustrates the polarizing nature of the Congress's Declaration of Independence within Essex County. There was no room for compromise on the question of independence, and political conservatives who had contributed to the Revolution found themselves facing severe legal and social reprisals for their reluctance to embrace this radical measure.<sup>8</sup> They were called before newly established judicial bodies that placed limitations on their freedom of movement, and men who had previously been their allies in the struggle against Parliament became distant or openly hostile. Chapter two also demonstrates that Loyalists were not the only ones to suffer significant social and legal consequences because of their position concerning independence. British soldiers occupied Essex County in December 1776 after chasing Washington's army and the state government from New Jersey, and their presence compelled many who had harassed Loyalists for their continued support of the crown to re-evaluate their own wartime allegiance.

The British soldiers who occupied Essex brutally disrupted daily life within Essex. Their presence not only encouraged hundreds of families to seek refuge elsewhere in New Jersey, but soldiers also stole valuable goods from hundreds of homes and barns within the region. Despite the severe economic burden this occupational force placed upon Essex residents, local men mounted no military resistance for several weeks until

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<sup>8</sup> For comprehensive studies on the early wartime treatment of Loyalists see William H. Nelson, *The American Tory*, (London, Oxford University Press, 1961) or Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Company, Inc., 1969). For biographical or regional studies see Judith L. Van Buskirk, *Generous Enemies: Patriots and Loyalists in Revolutionary New York* (Philadelphia: University of Pennsylvania Press, 2002), John E. Ferling, *Joseph Galloway and the American Revolution*, (University Park: Pennsylvania State University, 1977), Carol Berkin, *Jonathan Sewall: Odyssey of an American Loyalist* (New York: Columbia University Press, 1974), and Sheila L. Skemp, *William Franklin: Son of a Patriot, Servant of a King* (New York: Oxford University Press, 1990).

Washington's stunning victories at Trenton and Princeton renewed their hope for an American victory. While British soldiers scrambled to fortify their position within New Jersey, Essex residents assisted the Continental army in driving the invaders from their communities in January 1777. They displayed tremendous support for the war effort in the wake of the destructive British occupation that contributed greatly to General Howe's decision to abandon New Jersey several months later. This new military zeal, however, was short-lived. Chapter three examines military service within Essex County and illustrates that men were unwilling to respond to threat that British forces on Staten Island continued to pose to their communities between 1777 and 1780. Historians, including Charles Royster, John Shy, Charles Niemeyer, and Mark Lender, have demonstrated Americans' failure to live up to popular Whig ideals concerning virtuous citizen-soldiers and the important role that economic incentives played in convincing men to take up arms.<sup>9</sup> This chapter builds on their work by examining another economic aspect of military service – protection of one's property. Despite the widespread property damage inflicted by raiding parties within Essex, its male inhabitants displayed the same aversion to military service found amongst men who lived much further from the theater of war. Chapter three also demonstrates that the victims of British plundering within Essex were just as likely to avoid military service as those who were spared from such economic

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<sup>9</sup> See Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783*, (Chapel Hill: University of North Carolina Press, 1979), Charles Patrick Neimayer, *America Goes to War, A Social History of the Continental Army* (New York: New York University Press, 1996), Mark Edward Lender, "The Enlisted Line: The Continental Soldiers of New Jersey" (Ph.D. diss., Rutgers University, 1975), John Shy, *A People Numerous and Armed: Reflections on the Military Struggle for American Independence*, 4<sup>th</sup> ed. (Ann Arbor: University of Michigan Press, 1993), and Caroline Cox, *A Proper Sense of Honor: Service and Sacrifice in George Washington's Army* (Chapel Hill: University of North Carolina Press, 2004).

suffering. Political and military leaders within the region were shocked by the men's reluctance to fight even when their communities faced danger and destruction.

The British army's occupation of Essex and its consistent presence on nearby Staten Island significantly jeopardized the safety Essex residents and their property, but it also complicated the government's enforcement of state laws concerning wartime allegiance. New Jersey's legislature demanded that all citizens renounce their allegiance to the George III and swear an oath to the state government, but such an act carried enormous implications for Essex residents who were frequent victims of British incursions and kidnapping plots. Many of those who supported the war for independence were reluctant to disavow their allegiance to Great Britain before God and local officials. Essex County's citizens and leaders understood the need to reign in those men and women who refused to denounce the British government. Chapter four illustrates the remarkable patience the Revolutionary government manifested towards wavering Patriots and known Loyalists long after the British army evacuated the region. State officials were slow to prosecute individuals under the New Jersey's allegiance laws and gave them a number of opportunities to protect their political, economic, and social standing within their communities by swearing the required oaths. The state's patience, however, came to an end in 1778, and both Revolutionary leaders and the people of Essex developed a deep-seeded hatred against those who refused oaths of allegiance. Essex residents attacked the character of known and suspected Loyalists and utilized drastic measures to permanently remove them from their communities such as expelling Loyalists' wives and children and seizing their real estate.

While the people of Essex and their Revolutionary leaders developed a common hatred for Loyalists and fence sitters who wished to remain neutral, they were sharply divided over how to respond to those who swore the required allegiance oaths but violated them by giving aid to the enemy. Chapter five examines the problem of illegal smuggling between Essex County, New York City, and Staten Island as well as the political and social tensions that this behavior created.<sup>10</sup> Hundreds of Essex residents sold valuable military provisions to the same British soldiers and Loyalists that wreaked havoc within the county while simultaneously denying Continental soldiers access to needed resources. Revolutionary leaders such as George Washington and William Livingston believed those involved in such trade were traitors to their country and no different than Loyalists, but the people of Essex did not share their vitriolic hatred for this illegal trade and participated in it. Local residents demonized Loyalist refugees for their open support of the British war effort, but the friends and neighbors of convicted smugglers overlooked their criminal activity and did nothing to undermine their social status in the region.

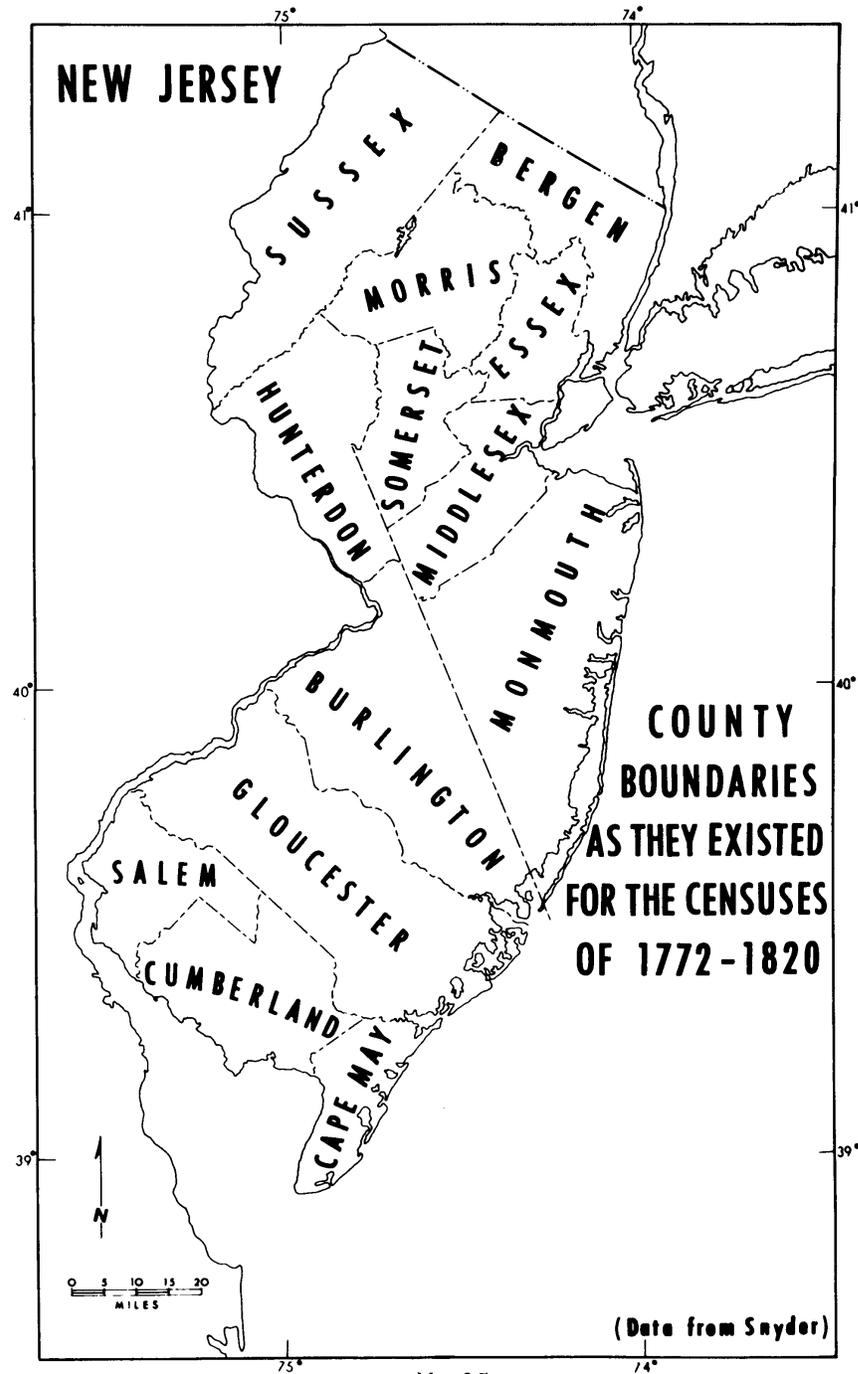
The project concludes by examining the British army's final attempt to end the Revolution within Essex and throughout New Jersey by launching a massive invasion in June 1780. Chapter six argues that the American government had overwhelmingly won the hearts and minds of the people of Essex by 1780 despite their wavering commitment to their leaders' Revolutionary ideals and their frequent violation of laws governing acceptable wartime behavior. The local population vehemently opposed the return of

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<sup>10</sup> Harry M. Ward, *Banditti of the American Revolution* (Westport, CT: Praeger Publishing Company, 2002) and Joshua M. Smith, *Borderland Smuggling: Patriots, Loyalists, and Illicit Trade in the Northeast, 1783-1820* (Gainesville, FL: University Press of Florida, 2006).

British forces, signaling the completion of their evolution from British subjects to American citizens. The unprecedented destruction inflicted by the invading British and Loyalist soldiers removed any lingering doubts that politically disinterested or disaffected individuals had concerning the oppressive nature of British rule and the necessity of independence. Chapter six also explores the long-lasting social consequences that the Revolution produced within Essex as the savagery of this invasion intensified popular animosity towards Loyalists. Although the peace treaty that ended the war for independence included provisions that allowed Loyalists to return and reclaim seized property, the people of Essex were loath to welcome their wartime enemies home.

Essex County thrived in the early American republic. Most of the county's farmers recovered from the economic losses they sustained during the Revolution, popular hatred for Loyalists eventually subsided, and several local Revolutionary heroes served in the new federal government established under the United States Constitution. The struggle tested their resolve and their relationship with one another, but the people of Essex gave birth to a united, free, and prosperous republic.



New Jersey Counties during the American Revolution<sup>1</sup>

<sup>1</sup> Peter O. Wacker, *Land and People: A Cultural Geography of Preindustrial New Jersey: Origins and Settlement Patterns* (New Brunswick, NJ: Rutgers University Press, 1975), 141.



Essex County Settlements<sup>2</sup>

<sup>2</sup> Extract from "New Jersey Counties and Villages, 1775," drawn by Kristine Campell in *The Papers of William Livingston*, Volume 3, January 1779-June 1780, Carl E. Prince, Dennis P. Ryan, Brenda Parnes, Mary Louise Lustig, eds. (New Brunswick, NJ: Rutgers University Press, 1986), 251. This map does not depict the village of Westfield located to the west of Elizabethtown and south of Springfield.

## **Chapter One -- “Inviolable Attachment”: British Identity and Imperial Bonds, 1740-1775**

On January 29, 1761, the residents of Elizabethtown, New Jersey gathered outside their town hall for a grand celebration. The community had much for which to be thankful. Elizabethtown farmers were reaping great profits selling their crops throughout the British Empire and also sold much of their produce to British soldiers fighting in the French and Indian War. These forces had recently achieved several major victories against the French armies at Quebec, Montreal, and Detroit, and another victory over France seemed inevitable by 1761. The reason for the town’s celebration on January 29, however, was the recent coronation of their new king, George III. Residents turned out for a parade that included “a large detachment” of their militia, a “Troop of Horse,” local clergy, British military officers, and “numbers of principal inhabitants of the Borough.”<sup>1</sup> They “all went in very regular procession,” and during the parade the town’s clerk, “well-mounted on horseback,” read a proclamation concerning the coronation that was met by the “Acclamations of the People.” The militia fired a salute to their new sovereign, and the townspeople continued their festivities that evening with “genteel entertainment” including a “considerable number of sky-rockets.”<sup>2</sup> Although similar celebrations were held in nearby Perth Amboy and other communities throughout New Jersey, Elizabethtown residents believed that none, in proportion to their number, could match the “Elegance, Unanimity, and Upright conduct” displayed in their “small, tho’ Loyal Borough.”<sup>3</sup>

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<sup>1</sup>*New York Mercury*, February 9, 1761. The letter describing these events was written on January 30, 1761 and stated the festivities occurred “yesterday.”

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

The people of Elizabethtown put a great deal of effort into their commemoration of George III's coronation, but their celebration was a reflection of more than just their love for their new king. These festivities also reflected the tremendous pride they had in their British identity and the joy they felt in being part of the British Empire. Although Puritans who regarded British society as sinful and corrupt founded Essex in the 1660s, by the middle of the eighteenth century the men and women of Essex regarded British civilization as the pinnacle of human development and embraced their relationship with it. Several key factors strengthened the bonds that tied New Jersey to Great Britain. Hundreds of Essex residents cast off their Puritan faith and joined the Church of England throughout the eighteenth century. Essex men fought to expand British influence throughout North America, and they also valued their economic relationship with the British merchants who offered them wondrous products from around the world. Most importantly, they regarded the British constitution as the most perfect form of government and the embodiment of enlightened reform. This chapter argues that the Essex population cherished their relationship with Great Britain throughout the mid-eighteenth century and that the imperial reforms passed by Parliament after 1765 strained but did not sever this relationship. Many Essex residents believed they were the victims of a conspiracy within the king's government by the winter of 1775. The increasingly radical nature of their protests, however, reflected their desire to preserve their vision of the British constitution, not break away from it.

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The fertile region that eventually became Essex County, New Jersey first attracted the interest of British colonists in the early 1660s. The Dutch had claimed this territory

as part of their New Amsterdam colony (modern New York City), but conflicts with the native population hindered the growth of Dutch settlements west of the Hudson River. In February 1660, a representative of several British colonists living within Dutch settlements on Long Island requested permission from New Amsterdam's governor to establish a community in "that place upon the mayne land which is called Arthur Cull" if it was free from Indian conflicts.<sup>4</sup> Although Governor Stuyvesant recognized that a new settlement in this territory immediately west of Staten Island would strengthen New Amsterdam's defense, disagreements concerning judicial authority, payments to the Dutch West India Company, and military protection kept both parties from reaching a deal. This setback did not reduce the British settlers' desire for the region, and in 1663 they attempted to circumvent the Dutch government and purchase the land directly from its native inhabitants. An armed force dispatched by Stuyvesant, however, compelled them to retreat back to their homes on Long Island.<sup>5</sup>

These British settlers on Long Island finally gained access to this desirable territory as a result of the British government's aggressive policies against the colony of New Amsterdam. Both King Charles II and Parliament believed that John Cabot's 1498 voyage had given them exclusive rights to the New Amsterdam territory and regarded the Dutch colonists as intruders. In 1664, the king granted all land between the Delaware River and the Connecticut River to his brother, the Duke of York, and he dispatched four warships to New Amsterdam to enforce this claim and expel the Dutch from the region.<sup>6</sup> Stuyvesant's government was unprepared for the arrival of this hostile force, and his

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<sup>4</sup> Theodore Thayer, *As We Were: The Story of Old Elizabethtown* (Elizabeth, NJ: Grassman Publishing Company, Inc., 1964), 5.

<sup>5</sup> *Ibid.*, 7.

<sup>6</sup> Richard McCormick, *New Jersey: From Colony to State, Volume 1, 1609-1789* (Princeton: D. Van Nostrand Company, Inc, 1964), 14-18.

surrender provided the British settlers on Long Island with a new opportunity to acquire the land they desired. Their delegates quickly expressed their interest in the land west of Staten Island to the Duke of York's envoys, and York's acting governor, Colonel Richard Nicolls, gave them his blessing. On October 28, 1664, the British colonists purchased approximately 500,000 acres of land from a local Indian chief, and their excitement for their new land was so great they began relocating to the region before Nicholls even confirmed their title to it.<sup>7</sup> By February 1665 they had selected a location approximately two and half miles from the coast as the site of their new settlement that they named Elizabethtown.<sup>8</sup>

A steady flow of colonists from Long Island into New Jersey led to the establishment of several communities south of Elizabethtown, and a political and spiritual crisis in Connecticut led many New Haven residents to migrate to New Jersey to establish the town of Newark near Elizabethtown's northern border. In 1664, rumors circulated throughout New Haven that King Charles II would issue a decree revoking the autonomy of their colony and demanding that they become part of Connecticut. New Haven's population was comprised exclusively of devout Congregationalists, and many of them

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<sup>7</sup> Thayer, *As We Were*, 9 and Brendan McConville, *These Daring Disturbers of the Public Peace: The Struggle for Property and Power in Early New Jersey* (Ithaca: Cornell University Press, 1999), 40. This land purchase is known as the Elizabethtown Tract, and they paid a remarkably low price of 120 feet of cloth, some lead bars, coats, kettles, weapons, powder, and the promise of an additional payment to be made one year after settlement began. McConville estimates that the size of the purchase was closer to 400,000 acres.

<sup>8</sup> Thayer, *As We Were*, 13-14. The original name for the settlement was Atcher Kil but was soon renamed as Elizabethtown at the first town meeting on February 23, 1665 in honor of the wife of Sir George Carteret, one of the two proprietors chosen by the Duke of York for his territory. The Duke of York, however, selected Carteret as proprietor in June 1664 after the military expedition targeting New Amsterdam set sail with Nicolls as governor. Due to poor communications Nicolls was unaware of these appointments and spent months parceling out land for settlements besides those in Elizabethtown unintentionally creating a century of legal confusion concerning ownership of New Jersey land. See McConville's *These Daring Disturbers of the Public Peace* for more info on issues of land ownership in colonial New Jersey.

feared that the Presbyterians of Connecticut would have a corrupting influence on both their community and their salvation. Believing migration was the only way to avoid damnation, several New Haven residents petitioned Governor Stuyvesant in 1664 for permission to establish a community within Dutch territory but failed to reach a satisfactory agreement. By 1666, King Charles II had ordered that New Haven merge with Connecticut, but New Jersey's new governor, Captain Philip Carteret, welcomed those disaffected with the king's decision into his colony. He instructed them to purchase their land directly from the native population in order to prevent future hostilities with them, and Robert Treat and his followers acquired twenty thousand acres along the Passaic River from the Lenni Lenape tribe. According to Newark's founders, only Congregationalists were allowed to reside within the community, and Newark's church leaders continued to dominate community life well into the eighteenth century.<sup>9</sup>

New Jersey's population increased steadily throughout the seventeenth century leading the colony's government to establish counties for administrative purposes, and in 1682 it created Essex County comprised of both Elizabethtown and Newark. Like the rest of New Jersey, Essex County experienced significant population growth throughout the seventeenth and early eighteenth centuries due to migration and high birth rates. In 1666 Elizabethtown's founders lived in no more than fifty small, single-story houses. By 1680, there were approximately seven hundred individuals living throughout the

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<sup>9</sup> McConville, *These Daring Disturbers of the Peace*, 15-17 and 50-52, McCormick, *New Jersey from Colony to State*, 21-23. Like his predecessor Governor Nicolls, Carteret's decision to allow Newark residents to secure land from the New Jersey's native population was a violation of the proprietors' land rights and created a century of legal uncertainty concerning land ownership. The situation grew more complicated after Carteret's death. Twenty-four men purchased the rights to all the land in Eastern New Jersey from his estate in 1682. They rejected the validity of the original settlers' land purchases from local tribes, and they sold portions of their vast claims to "resident proprietors" interested in moving to the colony and collecting quit rents from inhabitants. See McCormick, *New Jersey from Colony to State*, 26-27, 31-34. Quit rents were typically assessed at one half cent or one cent per acre.

Elizabethtown Tract.<sup>10</sup> New England residents migrated to Essex in large numbers, and by 1690 the growing number of settlers led to the establishment of a third Essex township north of Newark, Acquackanonk. Migration into Essex slowed at the start of the eighteenth century since most of its fertile land had already been claimed, but the residents' high birth rates continued to fuel its population growth. Between 1726 and 1783, Essex County's population grew at a rate of 4.31% annually, and between 1726 and 1745 its total population grew from 3,922 to 6,543 residents.<sup>11</sup> Observers marveled at the size of Essex families. Over one-fifth of all Newark families had nine children or more, and Anglican minister Isaac Browne observed in 1760 that "all the riches" of Newark's population "consist of children of which they have commonly more than they know what to do with."<sup>12</sup> The significant population growth produced a land shortage in Essex County's oldest settlements and prompted residents to establish new villages within the vast Elizabethtown Tract. By the early eighteenth century, inhabitants had settled Westfield, Connecticut Farms, and Springfield located to the west of Elizabethtown and Rahway to the south.

One of the primary reasons for the steady population growth in Essex County was the variety of economic pursuits it afforded industrious settlers. As Richard McCormick argues, New Jersey did not suffer from the "distressing paucity of natural resources that afflicted many New England communities," and Essex residents lived in close proximity to numerous natural resources. According to one Dutch observer, "it is not possible to

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<sup>10</sup> Thayer, *As We Were* 21, 30.

<sup>11</sup> Dennis P. Ryan, "Six Towns, Continuity and Change in Revolutionary New Jersey, 1770-1792," (Ph.D. diss., New York University, 1974), 65. For more information on New Jersey's population growth see Peter O. Wacker, *Land and People: A Cultural Geography of Preindustrial New Jersey Origins and Settlement Patterns* (New Brunswick, NJ: Rutgers University Press, 1975), 137, 413-415.

<sup>12</sup> Ryan, "Six Towns," 235.

describe how” the water around New York City “swarms with fish, whales, tunnies, and porpoises.” Any Essex resident who owned a boat could fish these waters, and the wealthier inhabitants could purchase exclusive whaling rights from New Jersey’s colonial government.<sup>13</sup> Similarly, the vast forests of northeastern New Jersey allowed several Essex residents to earn great wealth as timber cutters and sawmill owners. John Ogden, Sr. established the region’s first sawmill in Elizabethtown as early as 1666, and within thirty years additional sawmills were also constructed in that community and in Newark.<sup>14</sup> Yeomen loggers were very aggressive in their pursuit of timber due to the ongoing legal disputes concerning the validity of early residents’ and proprietors’ conflicting land claims. Loggers eagerly gathered all the timber they could from disputed lands while their ownership was in doubt, and in the mid-1740s David Ogden of Newark remarked that, “the Timber destroyed on Lands, by reason of said Dispute, is by far of more value than the lands.”<sup>15</sup> Essex residents also took advantage of the ample metal deposits found within their communities and the colony. Prospectors established several open pit iron mines throughout New Jersey’s interior in the 1700s. After the discovery of a large copper deposit near Newark’s northern border, the town’s voters unanimously agreed to lease Newark’s common lands to anyone interested in searching for mines in the 1730s.<sup>16</sup>

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<sup>13</sup> Thayer, *As We Were*, 23-24.

<sup>14</sup> *Ibid.*, 22-23 and McConville, *These Daring Disturbers of the Peace*, 94. Newark voters unanimously passed a measure in 1695 granting Thomas Davis permission to set up a sawmill and use the timber of any common land as long as he gave boards cheaply to local residents and before strangers.

<sup>15</sup> McConville, *These Daring Disturbers of the Peace*, 95-97. The aggressive nature of yeomen loggers is best reflected through the reputation of Samuel Harrison of Newark. Harrison was a sawmill operator in the 1720s whose constant pursuit for access to additional land led those in his community to reflect “should get all the land on earth he would still seek . . . a bit of the moon.”

<sup>16</sup> *Ibid.*, 98-99 and *Records of the Town of Newark, New Jersey from Its Settlement in 1666, to its Incorporation as a City in 1836* (Newark: New Jersey Historical Society, 1864), 129-132. The copper deposit was discovered in 1721 by Newark resident John Dod.

Essex residents took advantage of all the natural resources at their disposal, but agricultural activity remained at the center of the region's economic activity. New Jersey offered both a favorable climate and fertile soil that allowed inhabitants to produce a variety of crops. Essex residents grew wheat, rye, oats, buckwheat, barley, flax, and diverse vegetables, and their orchards contained an array of fruits such as apples, peaches, cherries and plums.<sup>17</sup> An Anglican minister visiting New Jersey observed in 1760 that the agricultural abundance let men "live altogether upon their estates, and are literally gentleman farmers."<sup>18</sup> Essex County's population growth led to a significant decrease in the average size of residents' farms, but by the middle of the eighteenth century Governor Jonathan Belcher continued to lavish praise upon the region's agricultural promise.<sup>19</sup> In 1748 Belcher labeled New Jersey as "the best country I have seen for men of middling fortunes," and he believed it to be a "land flowing with milk and honey" for those "who have to live by the sweat of their brows."<sup>20</sup> When Belcher moved from Burlington to Elizabethtown in 1751 he found a thriving community of seven or eight hundred residents in which even merchants, artisans, and skilled professionals cultivated gardens and orchards on their property.<sup>21</sup>

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<sup>17</sup> McCormick, *New Jersey from Colony to State*, 88.

<sup>18</sup> Larry R. Gerlach, *Prologue to Independence: New Jersey in the Coming of the American Revolution* (New Brunswick, NJ: Rutgers University Press, 1976), 16.

<sup>19</sup> Thayer, *As We Were*, 19. The investors in the Elizabethtown settlement who settled in the region in 1665 were placed into three categories with the each investor receiving approximately 210, 140, and 70 acres depending on the size of their investment. Seventy acres was enough land for a farmer to produce enough for his family and enjoy some economic security, but some historians such as Dennis Ryan estimate that on the eve of the Revolution as many one-third of the white men within the state owned no land, see Gerlach, *Prologue to Independence*, 15 and Ryan, "Six Towns, Continuity and Change in Revolutionary New Jersey, 1770-1792."

<sup>20</sup> McCormick, *New Jersey from Colony to State*, 89 and the Reverend Edwin F. Hatfield, D.D., *The History of Elizabeth, New Jersey Including the Early History of Union County* (New York: Carlton & Lanahan, 1868), 377.

<sup>21</sup> Thayer, *As We Were*, 82.

The British monarchy played little direct role in the early history of Essex County, but a growing number of Essex residents developed ties to the crown as a result of the remarkable growth of the Anglican Church within the region in the early eighteenth century. New Jersey's earliest settlers were devout Calvinists. They vehemently opposed the ornate ceremonies and rigid hierarchy found within the Church of England, and they also regarded its Arminian theology as a violation of Calvin's teachings on predestination.<sup>22</sup> These British Puritans had joined the Dutch settlers on Long Island to enjoy both the economic and religious opportunities available there, and they established Congregational churches to practice their Puritan faith once they settled in New Jersey. Colonel Lewis Morris observed in 1700 that the inhabitants of Eastern New Jersey were "generally Independents" with "some few Churchmen [Anglicans], Presbiterians, Anabaptists, and Quakers settled among them," and he requested Anglican officials to send missionaries to the region.<sup>23</sup> When the Reverend George Keith arrived in New Jersey in 1703, he found many Elizabethtown residents willing to listen to his spiritual message. The people still attended the same Congregational church Elizabethtown's founders had built, but they lacked their ancestors' vigorous commitment to Calvinism. Many residents found Keith's religion to be socially liberating since it placed fewer limitations on people's behavior, and in the fall of 1703 Keith preached in the homes of Andrew Craig and Colonel Townley and also baptized several children in Elizabethtown. "Many of that town having been formerly a sort of Independents," Keith observed "are

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<sup>22</sup> Jon Butler, Grant Wacker, and Randall Balmer, *Religion in American Life* (New York: Oxford University Press, 2008), 53-54. Arminianism was a modified form of Calvinism that emphasized humanity's free will and ability to influence salvation.

<sup>23</sup> Lewis Morris to the Secretary for the Society for Propagating the Gospel in Foreign Parts (SPG), 1700 in Samuel A. Clark, *The History of St. John's Church, Elizabethtown, New Jersey, From the Year 1703 to the Present Time, Compiled From Original Documents, The Manuscript Records and Letters of the Missionaries of the Society for Propagating the Gospel in Foreign Parts, and from Other Sources* (Philadelphia: J.B. Lippincott and Company, 1857), 15.

become well affected to the Church of England.”<sup>24</sup> His successor, the Reverend John Brooke, also enjoyed success within Elizabethtown. By 1706, the number of residents listening to Brooke’s sermons had grown so large they could no longer fit in residents’ homes or barns, and they began construction of their own church that year. The sudden rise of the Anglican Church caused great distress among Elizabethtown’s devout Congregationalists who still maintained their founders’ theological and social traditions. The Reverend John Harriman’s concern over the growing Anglican presence within his community was so great that he died in the middle of Sunday services while delivering a fiery sermon “railing against the [Anglican] Church.”<sup>25</sup>

The Anglican Church continued to gain converts within Elizabethtown and its surrounding villages throughout the first half of the eighteenth century. New Jersey’s Congregationalist churches lacked an adequate number of qualified ministers to accommodate the colony’s growing population, and Anglican ministers capitalized on this shortage. Following John Harriman’s death, Elizabethtown’s Congregationalists actually allowed Brooke to preach at their meetinghouse on the stipulation that he not read from Church of England’s Book of Common Prayer. Brooke, however, evaded this stipulation by reciting parts of the service from memory, and many Congregationalists enjoyed his preaching. They allowed him to use their meetinghouse while his new church was under construction, and according to Brooke most Congregationalists who attended his services stayed from beginning to end.<sup>26</sup> Brooke’s successor, the Rev. Edward Vaughn, similarly gained many converts. He frequently visited “Dissenters” in

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<sup>24</sup> George Keith, *A Journal of Travels from New Hampshire to Caratuck on the Continent of North America*, November 3, 1703 in Clark, *The History of St. John’s Church*, 16.

<sup>25</sup> John Brooke to the Secretary for SPG, October 11, 1703 in Clark, *The History of St. John’s Church*, 19.

<sup>26</sup> Hatfield, *History of Elizabeth*, 291, 298.

their homes and found “that an affable even temper with the force of arguments is prevalent to engage their affections and conformity to holy mother, the church, which I assure you is considerably increased.”<sup>27</sup> Vaughn held regular services at St. John’s Anglican Church in Elizabethtown and a newly constructed Anglican Church in Rahway, and he frequently travelled twenty miles round-trip to give lectures in the village of Woodbridge. By 1721 he estimated that two hundred people attended his service at St. John’s with approximately forty communicants, and these numbers continued to grow at mid-century.<sup>28</sup> His successor, the Reverend Thomas Bradbury Chandler, believed in 1749 that he could convert a “considerable part of the Presbyterian meeting” in Elizabethtown. Within five years St. John’s Anglican Church had approximately eighty-five families and ninety communicants.<sup>29</sup>

Anglican missionaries achieved only limited success within Newark throughout the first quarter of the eighteenth century, but many of the town’s residents embraced the church after a spiritual and social crisis divided their community in the fall of 1733. While early eighteenth-century Newark residents may not have felt the same religious fervor as their ancestors from New Haven, the Congregational church remained a powerful political and social institution that still regulated residents’ behavior. Josiah Ogden was a prominent member within Newark’s government, militia, and its

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<sup>27</sup> Edward Vaughn to the Secretary for the SPG, December 4, 1710 in Clark, *The History of St. John’s Church*, 36.

<sup>28</sup> Clark, *The History of St. John’s Church*, 48.

<sup>29</sup> Thomas Bradbury Chandler to the Secretary for the SPG, December 20, 1749 and December 16, 1754 in Clark, *The History of St. John’s Church*, 63, 74-76, and “Elizabeth: Birth Records, 1753-1761, from St. John’s Protestant Episcopal Church and the same, 1849-1850, from St. Mary’s Roman Catholic Church,” Manuscript Group 1079, W.P.A. Historical Records Survey, New Jersey, 1936-1938, Folder 5, New Jersey Historical Society (NJHS), Newark. Chandler refers to the Presbyterian Church in Elizabethtown because the Congregational church joined the Philadelphia Presbyterian Synod in 1717. The growing size of Chandler’s Elizabethtown congregation is best reflected in the remarkable numbers of baptisms he performed in the 1750s. Between 1753 and 1756 Chandler baptized an average of ten children per year, but Chandler performed twenty-seven baptisms in 1760 alone.

Congregational church, and one Sunday in the fall of 1733 he observed an approaching thunderstorm that he believed could destroy the wheat in his fields. Faced with a choice between his personal economic interests and church laws governing activities on the Sabbath, Ogden ordered his workers to harvest his crops on a Sunday afternoon before the storm. The minister publicly rebuked Ogden, but rather than accept his punishment Ogden broke away and founded Newark's first Anglican church along with several other disaffected Congregationalists. This group communicated with Edward Vaughn of Elizabethtown and held church services in their homes under the leadership of Abraham Pierson, a recent Presbyterian convert to Anglicanism.<sup>30</sup> In 1736 these devout Anglicans sent a memorial to the Bishop of London apologizing for the "strong prejudices and prepossessions" against the Church of England that their "Pastors and Teachers had instilled" in them. They lamented their previous belief that it was a "superstitious, popish, and idolatrous" religion, and they proclaimed that it possessed "excellency of Doctrine [and] purity of Worship" after finally learning about its theology and style of worship.<sup>31</sup> By 1743, Ogden's followers completed the construction of an Anglican church in Newark thereby ending the religious and political monopoly that Congregationalists had enjoyed in the community since 1666.<sup>32</sup>

The Anglican churches in Elizabethtown, Newark, and Rahway were highly visible royal institutions that forged bonds between their parishioners and Great Britain. Unlike the Congregational churches that dominated the region throughout the seventeenth

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<sup>30</sup> Edward W. Scudder, *Trinity Church, Newark, New Jersey: A Brief Account of Its Origin and History* (s.n., 1931) 14.

<sup>31</sup> "To The Right Reverend Father in God, Edmond of Divine Permission Lord Bishop of London, and to the Honorable Society for Propagating the Gospel in Foreign Parts," 1736 in Clark, *The History of St. John's Church*, 51-52.

<sup>32</sup> Scudder, *Trinity Church*, 14.

century, the new Anglican churches were part of a hierarchical and trans-Atlantic church based in London that offered its worshippers no control over doctrine or religious practices. The monarch was the head of the church, but since there were no bishops within the colonies Essex Anglicans had to communicate with church leaders in London before making major decisions. For example, when Edward Vaughn died in 1747 after more than thirty years of service within Essex County, the parishioners of St. John's Church in Elizabethtown were eager to have their young catechist, Thomas Bradbury Chandler, succeed Vaughn. They could not, however, appoint Chandler to this post without the blessing of church officials in London. Anglican leaders were willing to comply with the parishioners' petition, but they also required Chandler to travel to Great Britain to receive Holy Orders before returning to Elizabethtown to begin his ministry.<sup>33</sup> This trans-Atlantic relationship was time consuming and inefficient, but Essex County's Anglican churches continued to grow throughout the first half of the eighteenth century in spite of these challenges. According to Chandler, approximately one-quarter of Essex residents were part of the Church of England, and their membership in these churches helped to strengthen their connection to the crown and British society.<sup>34</sup>

Essex residents, however, did not need to be members of the Anglican Church to maintain a connection with the British government throughout the first half of the eighteenth century. Like most British subjects, the people of Essex felt great pride in the British Empire and wished to see British influence expand throughout North America.

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<sup>33</sup> Clark, *History of St. John's Church*, 65-66.

<sup>34</sup> Thomas Bradbury Chandler to the Secretary for the SPG, May 1, 1752 in Clark, *History of St. John's Church*, 71. Chandler estimated that there were approximately three Presbyterians for every Anglican in Elizabethtown in 1752. This relationship did have some economic advantages for Anglican ministers that their Presbyterian counterparts in Essex did not have. When they found themselves in need of church supplies such as "large bibles and common-prayer books" or religious pamphlets, they could request these materials from London officials. See Clark, *History of St. John's Church*, 41, 88.

One sign of New Jersey's loyalty to the Crown, according to historian Larry Gerlach, was the colony's "excellent record of contributing men and money to the inter-colonial campaigns" against France's American colonies.<sup>35</sup> Essex supported Great Britain's frequent wars in North America and celebrated British victories such as the capture of the French fortress in Louisbourg, Nova Scotia. This French stronghold guarded the mouth of the St. Lawrence River and effectively protected Quebec City from naval assault, but in 1745 an army of New Englanders captured the fortress.<sup>36</sup> This devastating blow to France's Catholic empire was met with widespread joy throughout New Jersey and prompted the colonial legislature to pursue a more active role in that war. It provided £2,000 to maintain the New England army at Louisbourg, and in 1746 it funded five hundred New Jersey soldiers to join an expedition against Quebec City.<sup>37</sup> Essex County faced no immediate danger from the French colonies in Canada, but its inhabitants shared Governor Jonathan Belcher's desire to expel the French so that George II "may in future Ages sway [his] Scepter over all N. America."<sup>38</sup>

The final conflict between France and Great Britain for control of the continent began with outbreak of the French and Indian War in the Ohio River Valley in 1754, and the Essex population passionately supported this war effort. Hundreds of New Jersey residents petitioned their legislature to commit both money and troops to the inter-colonial campaign to expel French forces from the Ohio territory, and New Jersey's government responded by funding an army of five hundred soldiers soon after the war

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<sup>35</sup> Gerlach, *Prologue to Independence*, 62.

<sup>36</sup> "A Letter from one of the Chaplains of the Army, dated Louisburg, June 19," *New-York Evening Post*, July 15, 1745.

<sup>37</sup> Edgar Jacob Fisher, *New Jersey as a Royal Province 1738-1776* (New York: Columbia University, 1911), 324-325. The five New Jersey companies established in 1746, however, never mounted the planned assault on Quebec.

<sup>38</sup> *Ibid.*, 337.

began.<sup>39</sup> When Essex residents learned that this colonial war had expanded into a global conflict against the French Empire they displayed widespread enthusiasm. On July 28, 1756, a crowd of Elizabethtown residents gathered outside their courthouse to listen as Governor Belcher read the king's declaration of war against France. Following his announcement the seven companies of Essex militia present celebrated by "firing three handsome Vollies."<sup>40</sup> Several young men from the region demonstrated their support for this war by volunteering to fight in it. Nineteen-year-old Elias Dayton of Elizabethtown received a commission as an ensign in one of New Jersey's new regiments soon after the conflict began. Dayton served throughout the entire war eventually reaching the rank of captain, and he fought alongside British soldiers in their assault on Quebec and in the campaign to crush Pontiac's Rebellion immediately after the war's conclusion.<sup>41</sup> Other residents aided the British war effort as privateers. John Dally outfitted his ship, *Sturdy Beggar*, to serve as a privateer vessel in the Caribbean.<sup>42</sup> Privateers could make a great deal of money by plundering French commercial vessels, and therefore some of the poorest residents of Essex County were interested in serving as privateers. In 1756, Elizabethtown hat-maker John Dennis advertised that his twenty-year-old apprentice had run away to serve on a privateer vessel and called for his swift return.<sup>43</sup>

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<sup>39</sup> Ibid., 333-356. Governor Belcher asked the legislature for money and soldiers in 1754, but the sum provided by the legislature was much smaller than Belcher's request and not enough to wage war. By June 1755, however, New Jersey had a regiment of troops which assembled at Schenectady awaiting orders from General Braddock of the British army. Braddock's death during his failed expedition that summer, however, derailed their original military plans.

<sup>40</sup> *New York Mercury*, August 9, 1756.

<sup>41</sup> Elias Dayton Papers, Manuscript Group 90, NJHS, Newark. Dayton served first as an Ensign but was promoted to Lieutenant in March of 1759 and Captain by April 1761.

<sup>42</sup> Thayer, *As We Were*, 90.

<sup>43</sup> *New York Mercury*, July 18, 1757 in *Archives of the State of New Jersey*, First Series, Vol. 20, *Extracts from American Newspapers Relating to New Jersey*, Vol. IV, 1756-1761, William Nelson, ed. (Paterson, NJ: The Call Printing & Publishing Company, 1898), 119 and Thayer, *As We Were*, 91.

Although Essex County was not located near any theaters of combat for the French and Indian War, British soldiers maintained a regular presence within the region that the inhabitants found to be economically advantageous. The first British regiment arrived in Essex in 1755 as it travelled to the Ohio River Valley, and other British forces frequently stayed in Essex communities as they travelled to or from New York and Pennsylvania.<sup>44</sup> Many New Jersey residents initially found the presence of British soldiers within their communities to be a tremendous burden since their officers demanded residents provide lodging for these troops. After receiving many petitions on the subject, however, the New Jersey legislature created a solution that transformed this former economic burden into an economic blessing for Essex residents.<sup>45</sup> The legislature ordered the construction of barracks equipped to house three hundred soldiers in Elizabethtown as well as four other New Jersey communities, and these barracks created a more harmonious relationship between the soldiers and civilians.<sup>46</sup> Residents were spared the responsibility of quartering numerous soldiers within their homes, and the soldiers purchased large quantities of provisions for their barracks from the local population. The new barracks were so advantageous to Essex County throughout the conflict that its representatives in the colonial legislature consistently supported laws to maintain these barracks after the war ended in 1763.<sup>47</sup>

Great Britain's wars for empire established a military relationship between Essex residents and the mother country, but the strongest tangible connection between the two

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<sup>44</sup> Fisher, *New Jersey as a Royal Province*, 334 and Gerlach, *Prologue to Independence*, 62-63. Gerlach argues that New Jersey frequently contained a "disproportionate" number of British soldiers in relation to the colony's size.

<sup>45</sup> Gerlach, *Prologue to Independence*, 63-64.

<sup>46</sup> *Ibid.*, 64.

<sup>47</sup> *Ibid.*, 72.

was their economic relationship. By the mid-1700s, British merchants relied heavily upon New Jersey's agricultural produce to feed the growing populations of other British colonies throughout the Atlantic world. Essex farmers abandoned their traditional practice of growing multiple crops for their local economy in favor of the more profitable practice of growing a single crop to sell throughout the British Empire. They sold their products to merchants in nearby New York who transported their wheat, flour, and meat to New England, the American South, and the British West Indies.<sup>48</sup> The local Essex economy became increasingly intertwined with the larger imperial economy throughout the eighteenth century, and Essex farmers' expanding relationship with New York merchants gave them access to a wide array of British merchandise that had previously been unavailable in their communities. By the mid-1700s Essex residents, like most American colonists, had developed an insatiable appetite for British goods. Whereas Americans consumed only 6% of all British exports in 1700, by 1773 they purchased approximately 26% of all goods exported by the mother country.<sup>49</sup> According to historian T.H. Breen, this remarkable increase in consumption was partly the product of their pride in Great Britain's tremendous military success during the eighteenth century. As the British army and navy achieved more victories over their French adversaries, "colonial nationalism" increased significantly throughout America leading many colonists to demonstrate their pride through their commercial activity. They wished themselves and their communities to appear more "British," and tens of thousands of

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<sup>48</sup> McCormick, *New Jersey from Colony to State*, 91 and Thayer, 86-87. Governor Lewis Morris remarked in 1742, "without our Wheat and flour" neither New York nor Philadelphia "would carry on the trade [with Great Britain] they do." McConville, *These Daring Disturbers of the Peace*, 92-93.

<sup>49</sup> T.H. Breen, *The Marketplace of Revolution: How Consumer Politics Shaped American Independence* (New York: Oxford University Press, 2004), 61.

colonists accumulated enormous personal debts in their attempt to replicate British society throughout America.<sup>50</sup>

One of the easiest ways for Essex residents to express their British identity was through their clothing. New York Governor William Tryon observed in 1774 that “more than Eleven Twelfths of the inhabitants of this Province both in the necessary and ornamental parts of their Dress are clothed in British Manufactures.”<sup>51</sup> The people of Essex displayed a similar passion for British clothing despite the fact that they had all the resources needed to produce their own fabric and clothing. Essex communities had an abundance of sheep throughout the eighteenth century, and they also had access to several fulling mills and skilled weavers. The quality and diversity of cloth produced by weavers like Elizabethtown’s Seth Woodruff, however, paled in comparison to the British fabrics imported by New York merchants. Woodruff offered his customers plain, striped, or checkered linen and wool at inexpensive rates that were usually less than one shilling per yard.<sup>52</sup> Essex residents, however, were willing to spend much more to acquire the exotic, comfortable, and higher quality British cloth available from any New York merchant. Textiles accounted for nearly half of all products advertised by New York merchants, and local weavers like Woodruff could not to compete with the quality and diversity of their products.<sup>53</sup> Solomon Marache, for example, offered an array of textiles such as plain and checkered cotton and linen, shaloon, chintz, cambricks, ribbons, lace, and sewing silks.<sup>54</sup> James Nixon advertised similar fabrics in his store while also emphasizing his “large assortment of stockings,” “an extraordinarily large assortment of

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<sup>50</sup> Ibid., 21.

<sup>51</sup> Ibid., 37.

<sup>52</sup> Seth Woodruff (1742-1815), Weaver Account Book, Manuscript Group 190, NJHS, Newark.

<sup>53</sup> Breen, *The Marketplace of Revolution*, 56.

<sup>54</sup> *New York Mercury*, September 14, 1761.

buttons,” and his willingness to “make great allowances” for town and county store owners interested in purchasing his imported fabrics.<sup>55</sup> Residents eager to appear as “British” as possible believed they could not do so in homespun cloth, and even soldiers fighting in the French and Indian War were willing to pay more so they could have the finest British fabrics for their uniforms. When Isaac Longworth of Newark needed a new officer’s coat in 1762, he asked one of his friends to send him a specific “scarlet hair plush” and “gold cord,” two materials Newark weavers simply could not provide.<sup>56</sup>

Essex residents’ desire to emulate popular British trends also led them to purchase large quantities of imported home furnishings from New York merchants. They longed for British silverware, glassware, pewter, ceramics, and furniture. The demand for such items grew so large in the mid-eighteenth century that the average number of imported items advertised in a New York City newspaper increased from five or six in the 1730s to between three hundred and one thousand in the 1770s.<sup>57</sup> New York merchants advertised a full line of home furnishings. Pontius Still offered consumers a variety of household items such as cutlery, “pictures on glass with gilt Frames, New-Fashion Sconces, Looking Glasses” and gold, silver, and pewter decorations.<sup>58</sup> Customers interested in fine British clocks could purchase them from New York merchants such as Solomon Marache or Thomas Perry. Between the 1750s and 1760s, Marache regularly advertised “very neat clocks in mahogany and walnut cases” from London. Perry was a

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<sup>55</sup> *New York Mercury*, February 3, 1766.

<sup>56</sup> Isaac Longworth to Evert Banker, September 20, 1762, Sol Feinstone Collection of the American Revolution #827, David Library of the American Revolution, Washington Crossing, PA. For a brief biography of Longworth, his service in the French and Indian War, and his service in the local Newark government see Alfred E. Jones, *The Loyalists of New Jersey: Their memorials, petitions, claims, etc. from English Records* (Boston: Gregg Press, 1972), 133.

<sup>57</sup> Breen, *The Marketplace of Revolution*, 56. Breen estimates that nearly half of all these advertised goods were clothing, and the other half was household items and other commodities.

<sup>58</sup> *New York Gazette or Weekly Post-Boy*, December 4, 1749.

British émigré and watchmaker who not only made fine gold or silver timepieces but also imported opulent clocks for the extremely high price of £14 (plus the cost of shipping and insurance).<sup>59</sup> Although such merchandise was more expensive than the goods produced by Essex clockmakers like Aaron Miller, both the origin and magnificence of imported goods gave them a distinct British aura that was conveyed to their owners.<sup>60</sup>

The religious, military, and economic activity of Essex residents formed the foundation of their mutually beneficial relationship with Great Britain throughout the first half of the eighteenth century. These imperial connections, however, were threatened by the economic reforms adopted by Parliament following the French and Indian War. The lengthy conflict was an unprecedented financial burden on the British government. The country's national debt increased from £72 million in 1755 to a staggering £130 million in 1764.<sup>61</sup> Parliamentary leaders were determined that the American colonists should pay their fair share of this debt. They substantially increased the number of British customs agents dispatched to America to better enforce trade regulations and curb the smuggling that decreased the customs revenues collected throughout America. They also passed the Currency Act of 1764 to ensure that colonists did not pay British merchants with worthless paper money. This legislation forbade colonial governments from passing new legal tender laws after September 1, 1764, and it demanded all paper money be retired by the dates established by colonial legislatures.<sup>62</sup> These regulations produced significant economic problems within Essex. The New Jersey government issued bills of credit

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<sup>59</sup> *New York Mercury*, September 10, 1759 and May, 17, 1756.

<sup>60</sup> Hatfield, *The History of Elizabeth*, 386 illustrates one of Miller's advertisements from April 1745 in *New York Weekly Post Boy*. No. 258.

<sup>61</sup> Harry M. Ward, *The American Revolution: Nationhood Achieved, 1763-1788* (New York: St. Martin's Press, 1995), 31.

<sup>62</sup> Gerlach, *Prologue to Independence*, 43.

worth nearly £350,000 to fund the recent war effort, and by 1763 it was the largest debtor of all colonial governments.<sup>63</sup> Essex residents shared Governor Franklin's belief that paper currency "will long be wanted here as a medium of commerce" and supported his campaign to have Parliament repeal the law.<sup>64</sup> The Currency Act, coupled with Parliament's restriction on the direct sale of New Jersey's produce to the British West Indies, led to significant economic problems throughout the colony. New Jersey's attorney general Cortlandt Skinner argued that the new regulations made "the distress of the people very great, from an amazing scarcity of money" which was made worse by "the sudden stagnation of trade."<sup>65</sup>

Despite its unpopularity, the Currency Act did not produce organized protests within Essex County because its residents focused their energies against another economic regulation passed by Parliament, the Stamp Act. This legislation was passed on March 22, 1765 and designed to raise revenue from the colonists by requiring many of their printed materials such as newspapers, diplomas, and legal documents to bear a British stamp. The tax would be particularly damaging to American printers as stamps could cost anywhere between a halfpenny and £10 depending on their use.<sup>66</sup> Although this legislation would eventually produce widespread social unrest throughout New Jersey, neither Essex residents nor their political leaders demonstrated strong resistance to the act when they first learned of it in early June. While Patrick Henry and Samuel Adams proclaimed the need for an inter-colonial Stamp Act Congress and organized

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<sup>63</sup> McCormick, *New Jersey from Colony to State*, 91. The legislature preferred this economic policy over raising taxes on the New Jersey population.

<sup>64</sup> Gerlach, *Prologue to Independence*, 44-46.

<sup>65</sup> Leonard Lundin, *Cockpit of the Revolution: The War for Independence in New Jersey* (Princeton: Princeton University Press, 1940), 53.

<sup>66</sup> Gerlach, *Prologue to Independence*, 97-98.

resistance movements in the summer, Robert Ogden of Elizabethtown joined his colleagues in the New Jersey General Assembly in a unanimous vote against their proposals in June. Legislators initially claimed they wanted more time to discuss the issue with their constituents, but the news of Stamp Act riots in Boston on August 14 and 26 changed their outlook. Upon learning that a Boston mob had terrorized Massachusetts's stamp distributor and destroyed the home of Lieutenant Governor Hutchinson, Robert Ogden called an unauthorized meeting of New Jersey's Assembly into session on October 3. He and the eleven other legislators present voted to send three men, including Ogden, to the proposed Stamp Act Congress and pledged their support for an inter-colonial movement to repeal the unpopular legislation.<sup>67</sup>

The people of Essex shared Ogden's increased opposition to the Stamp Act in the fall of 1765 and publically expressed their outrage at local assemblies. Voters from across Essex gathered in Elizabethtown on October 25 and unanimously adopted a series of resolutions conveying their displeasure with Parliament and their belief that this legislation reduced them to second-class subjects denied equal treatment under British law. They proclaimed that the Stamp Act was "unconstitutional" and would, if enforced, bring "a manifest Destruction and Overthrow of their long-enjoyed, boasted, and invaluable Liberties and Privileges" as British subjects.<sup>68</sup> Like the Stamp Act Congress in New York, Essex residents professed their willingness to oppose the Act's implementation through "all lawful Measures" and their desire to "preserve and transmit

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<sup>67</sup> Gerlach, *Prologue to Independence*, 99, 106-108. Ogden remained reluctant to consider sending delegates to the Congress throughout the summer. He rejected Richard Stockton's argument that the colonies must display unity in their opposition and his fear that the absence of a New Jersey delegation would give the appearance that "we think it no oppression." Ogden had re-evaluated his opposition by October 1765. For information on the Stamp Act and the Boston riot see Edward S. Morgan and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution* (Chapel Hill: University of North Carolina Press, 1953).

<sup>68</sup> *New York Gazette or Weekly Post Boy*, October 31, 1765.

to Posterity their Liberty and Property, in as full and ample Manner as they received the same from their Ancestors.” They had developed such a fervent opposition to the Stamp Act that they vowed to “hold in the utmost contempt” anyone who attempted to distribute stamps in the region and professed similar contempt for “all and every Stamp Pimp, Informer, Favourer, and Encourager.”<sup>69</sup> Essex County’s male population proclaimed that anyone who expressed support for this tax would be ostracized by their neighbors. According to their resolutions the only acceptable communication towards Stamp Act supporters would be spoken or written statements designed to “inform them of their Vileness.”<sup>70</sup>

Although Essex voters unanimously proclaimed their ardent opposition to the Stamp Act, the Sons of Liberty were still active within Essex County to intimidate ambivalent residents into complying with the October 25 resolutions.<sup>71</sup> This radical group constructed gallows outside the Elizabethtown courthouse and vowed that anyone using or distributing stamped paper “shall be hung thereon without Judge or Jury.”<sup>72</sup> One resident who attracted the attention of the Sons of Liberty was Elizabethtown’s representative in the General Assembly, Robert Ogden. Ogden was one of the most respected members of the community with a lengthy record of public service holding such posts as a barracks master, judge, representative, Speaker of the Assembly, and delegate to the Stamp Act Congress.<sup>73</sup> He was, however, one of only two delegates authorized to sign the congress’s resolutions who refused to do so. Ogden had embraced

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<sup>69</sup> Ibid.

<sup>70</sup> Ibid.

<sup>71</sup> Gerlach, *Prologue to Independence*, 119. For more information on the organization and tactics of the Sons of Liberty see Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765-1776* (New York: Alfred A. Knopf, 1972), 51-112.

<sup>72</sup> Ibid., 131.

<sup>73</sup> Thayer, *As We Were*, 93-94.

the popular revolt against the tax in October 1765. His opposition to the resolutions likely stemmed from their failure to acknowledge any Parliamentary authority within the colonies or his belief that the resolutions would be better received in London if they came from colonial legislatures rather than an extra-legal body.<sup>74</sup> The New Jersey population, including Ogden's constituents, was not interested in the reasoning behind his decision and believed the absence of Ogden's signature reflected his opposition to the resolutions. On October 29, the inhabitants of nearby New Brunswick hung an effigy of Ogden with "papers denoting his horrid crime affixed to his breast" which was burned before a cheering crowd.<sup>75</sup> Ogden's reputation suffered so greatly after the Stamp Act Congress that he resigned as Speaker of the Assembly, and his friends William Livingston and William Peartree Smith felt compelled to write an exculpation defending his character.<sup>76</sup>

Parliament's repeal of the Stamp Act in March 1766 did not restore political harmony between Essex residents and the British government, and subsequent legislation placed additional strain on their previous agreeable relationship. Although Parliament yielded to the colonists' demands concerning the Stamp Act, it subsequently passed the

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<sup>74</sup> Ibid., 94, 96 and Gerlach, *Prologue to Independence*, 109. Ogden's opposition to the Stamp Act was well known by October of 1775. He called an unauthorized meeting of the Assembly without consulting Governor Franklin in order to send delegates to the Stamp Act Congress, and he previously wrote that the legislation was "destructive to the Libertys the Colonies hitherto enjoyed" in a letter to Cortlandt Skinner. His desire for constitutionally-recognized colonial institutions to forward the Resolutions of the Stamp Act Congress was well-founded. Parliament rejected the petition for several reasons, one of which being the fact that it came from an extra-legal body which they did not recognize as legitimate.

<sup>75</sup> *New York Gazette or Weekly Post Boy*, October 31, 1765 and Gerlach, *Prologue to Independence*, 119. The article describes the effigy as depicting the words "an abandoned miscreant" coming from its lips and claimed that Ogden would not "extinguish the spirit of the liberty in the province of New Jersey."

<sup>76</sup> "Stamp Act, Documents in re the. Twenty-five items, some fragmentary. Signed: Sons of Liberty; Committee of Mechanics; Lovers of Just Commerce; A true Churchman. Different places, different dates." Sol Feinstone Collection of the American Revolution #1312, David Library of the American Revolution, Washington Crossing, PA. Unfortunately, the collection does not contain the text of Livingston and Smith's defense of Ogden but only the title page stating "Wm Livingston & Peartree Smith's Exculpation of Robert Ogden & his Letter to his Constituents" dated 1765.

Declaratory Act proclaiming its authority to legislate in all colonial matters. Parliament soon after enacted the Townshend Duties taxing specific British exports to America such as paper, paint, glass, and tea. Essex residents strongly opposed these new taxes on imported goods, and they expressed their discontent by participating in an inter-colonial boycott of all British merchandise. Calls for the boycott originated in Boston in March 1768, but in order for such an economic protest to succeed it required the support of America's leading merchants in Philadelphia and New York. A boycott could bring financial ruin to all participating merchants, but New York merchants pledged their support in October of 1768, and Philadelphia merchants did so several months later. New Jersey farmers would be largely immune to the economic problems caused by this boycott, but Essex merchants such as Robert Drummond of Acquackanonk would lose all the money they normally made selling the British goods they acquired from New York within their communities. New Jersey's General Assembly nonetheless supported the boycott and unanimously thanked "the Merchants and Traders of this colony" and those of "New York and Pennsylvania for their disinterested and public spirited Conduct."<sup>77</sup>

The colonists' non-importation movement ended the steady flow of coveted British merchandise from New York City to Essex. Its residents, however, were willing to accept this economic measure between 1768 and 1770 as a means of removing what they saw as an unwarranted and unconstitutional economic burden. Inhabitants began wearing the previously unpopular homespun cloth as a substitute for the luxurious British fabrics they traditionally purchased from New York. In June 1770, the New York Committee of Merchants praised the people of Elizabethtown for rejecting British merchandise and for manufacturing "upwards of one hundred thousand yards of linen and

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<sup>77</sup> Gerlach, *Prologue to Independence*, 157.

woolen cloth within the past year.”<sup>78</sup> Essex residents were so committed to the boycott they publicly reprimanded any American merchant who resumed importing goods from Great Britain after Parliament repealed all of the Townshend duties except that placed upon tea in 1770. The commercial economies of New York, Philadelphia, and Rhode Island suffered great losses as a result of the boycott. Their merchants were eager to resume trade even though the 1768 non-importation agreement called for a boycott until *all* taxes were repealed. Essex voters gathered in Elizabethtown on two occasions in June 1770 to publicly condemn those merchants who purchased British goods while the tax on tea remained. The people of Essex proclaimed on June 5 that such trade was motivated purely by merchants’ desire “to raise their own private fortunes” and condemned it as “inconsistent with the Common Cause of Liberty.” They feared that the “impression of disunion in the Colonies” would only strengthen Parliament’s resolve and therefore vowed not to “receive, purchase, sell, or use” any British merchandise while the tea tax remained.<sup>79</sup>

The widespread boycott of British merchandise throughout Essex County weakened residents’ economic connection to the British Empire, but the growing hostility towards Parliament also weakened many residents’ religious ties with Great Britain. Thomas Bradbury Chandler was neither threatened with violence like British stamp distributors nor burned in effigy like Robert Ogden, but the minister faced significant public backlash in this tumultuous political climate. Chandler angered many Essex residents before the tax protests even began when he refused to allow the famous English

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<sup>78</sup> *New York Gazette and Weekly Post Boy*, July 2, 1770. Surprisingly, there is little evidence of an increased demand for homespun cloth within Seth Woodruff’s account book between 1768 and 1770. It is possible that the committee of merchants was misinformed or that local residents gave more of their business to another Elizabethtown weaver.

<sup>79</sup> *New York Journal or General Advertiser*, June 7, 1770 and June 26, 1770

theologian George Whitefield to preach in his church in 1764. He regarded Whitefield as a man of “undutiful and schismatical behavior” and denied him access to St. John’s pulpit because Whitefield showed “no evidence of his reformation.”<sup>80</sup> This decision greatly alienated Essex County’s substantial Presbyterian population as well as some of Chandler’s own parishioners, and the Anglican minister’s thoughts on the Stamp Act only encouraged further criticism. There is no written evidence of Chandler’s public defense of the Stamp Act, but his private correspondence with Anglican officials in London demonstrates that he was sympathetic to Parliament’s position. Chandler expressed his personal desire for Parliament to “relax” the Stamp Act, but he also expressed his willingness to accept it and as well as his opposition to colonists’ protests against it. He reported in July 1765 “that I will exert myself to the utmost allay the ferment and to promote a peaceable submission to ye Higher Powers not only for wrath, but for conscience sake —”<sup>81</sup> After protests throughout Essex and elsewhere in New Jersey grew increasingly violent in the fall, Chandler reported that he would not “excuse the conduct of his countrymen: for I really detest it and do endeavour to traverse and counteract it to the utmost of my ability.”<sup>82</sup> It is unlikely that Chandler would publicly profess such sentiments due to the presence of the Sons of Liberty within Elizabethtown

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<sup>80</sup> Thomas Bradbury Chandler to Secretary for the SPG, July 5, 174 and July 5, 1765 in Clark, *History of St. John’s Church*, 101-103, 107-108. Chandler believed that Whitefield could not harm the Anglican Church if he were “only to attack it from without.” Allowing him to preach at St. John’s, in Chandler’s mind, would give Whitefield the “opportunity of really hurting ye Church, in his pretended friendship for her, his wearing ye garb of her children, his frequently reading from *our excellent Liturgy*, Articles, Homilies, &c with solemn declaration of his esteem and admiration.” This was not the first time that Anglican ministers denied Whitefield access to their congregations within Essex or throughout New Jersey. Whitefield travelled across the colony during the height of the Great Awakening in 1740, and he preached to hundreds, possibly thousands, of Essex residents at Presbyterian churches and open air revivals. The Anglican clergy, however, shunned Whitefield and denied him their pulpits. See McConville, *These Daring Disturbers of the Peace*, 79-87.

<sup>81</sup> Thomas Bradbury Chandler to the Secretary for the SPG, July 5, 1765 in Clark, *History of St. John’s Church*, 108-109.

<sup>82</sup> Thomas Bradbury Chandler to the Secretary for the SPG, January 15, 1766 in Clark, *The History of St. John’s Church*, 112.

as well as the public outcry against Robert Ogden's refusal to sign the Resolutions of the Stamp Act Congress. Although several congregants left St. John's Church during the Stamp Act crisis, Chandler held onto the majority of his parishioners and maintained their spiritual link to Great Britain during throughout the crisis.<sup>83</sup>

Popular opinion of the Rev. Chandler throughout Essex, however, declined in the late 1760s as the colonists expressed their displeasure with the Townshend Duties. Chandler continued to express his contempt for colonial protests in his personal correspondence and labeled the popular Pennsylvania author John Dickinson "a great Rascal" following the publication of Dickinson's writings on colonists' rights and the growing need for a boycott of British goods.<sup>84</sup> It is unclear if Chandler publicly condemned Dickinson or the non-importation movement of 1768, but he provided Essex residents and colonial authors ample reason for scorn with his published works concerning the need to reform the Anglican Church in America. In 1766, Chandler hosted a meeting of nearly forty Anglican ministers from New Jersey, New York, Pennsylvania, and Connecticut who professed their desire to establish bishops for the Church of England in the colonies.<sup>85</sup> Chandler published *An Appeal to the Public in Behalf of the Church of England in America* later that year and defended his arguments in favor of Anglican bishops while also addressing his critics. He believed the absence of bishops left Anglican ministers throughout the colonies too "independent of each other"

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<sup>83</sup> Thomas Bradbury Chandler to the Secretary for the SPG, July 5, 1765 in Clark, *The History of St. John's Church*, 106 and Thayer, *As We Were*, 97. Chandler claimed his church "was never more crowded" in the summer of 1765, but this boast was made before the escalation of the Stamp Act Crisis in September.

<sup>84</sup> Gerlach, *Prologue to Independence*, 152. Chandler believed that Dickinson's *Letters from a Pennsylvania Farmer*, which propelled Dickinson to prominence throughout America, did "more Mischief than any Set of Papers which have ever been published in this Country."

<sup>85</sup> Clark, *History of St. John's Church*, 129 and Thayer, *As We Were*, 97. Nine of the ministers were from Connecticut and twenty-two were from New York or Pennsylvania.

without “Ecclesiastical Superiors to Unite or control them.” He asserted that the establishment of American bishops would bring neither tithes nor additional taxes upon the colonists, but he argued that if such a tax were ever necessary it “would not amount to more than Four Pence in One Hundred Pounds. And this would be no mighty hardship upon the Country.”<sup>86</sup>

While Chandler’s arguments in favor of Anglican bishops made sense from an institutional perspective, the strained relationship between the American colonies and Great Britain made this a remarkably unpopular idea. Although the current relationship between Anglican ministers in America and the church hierarchy was highly inefficient, the ongoing debate concerning Parliament’s right to tax the colonies created a dangerous political backdrop for Chandler’s thoughts on the structure of the Anglican Church. Many colonists believed the proposed bishops would act as Parliament’s spies or agents within the colonies, and they were not swayed by Chandler’s predictions concerning the likelihood or size of colonial taxes to support the proposed bishops. The heightened rhetoric surrounding Parliament’s recent taxation and fears for the colonists’ political liberties created a dangerous environment that could not have been less conducive to Chandler’s arguments. He was foolish to even broach the subject of taxes in his writings, and Congregationalist and Presbyterian clergy throughout America engaged Chandler in a heated pamphlet war concerning the theological and political implications of his plan. Although Chandler claimed the literary uproar his writings produced caused him no anxiety and informed his superiors that he had the support of his congregation, few

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<sup>86</sup> Thomas Bradbury Chandler, D.D., *An Appeal to the Public in Behalf of the Church of England in America* (New York: James Parker, 1767), 26, 107. Accessed on Google Books, 12/29/10.

parishioners endorsed his proposed reforms because of their dangerous political and social implications.<sup>87</sup>

The people of Essex demonstrated considerable resistance to the imperial reforms enacted by Parliament and to Chandler's recommendations. This opposition, however, did not reflect a rejection of the British government or their status as British subjects. By the middle of the eighteenth century, the vast majority of Americans still celebrated Great Britain's unwritten constitution as an ideal political system that effectively balanced the need for strong government with the rights of the individual.<sup>88</sup> As one New York resident observed, the British constitution allowed Americans to be "the happiest people (with respect to government) of any people under the sun," and the people of New Jersey widely shared his veneration for the British system of government.<sup>89</sup> The first resolution adopted by Essex voters at their October 25, 1765 Stamp Act Assembly proclaimed their "wish to be governed agreeable to the Laws of the Land and the British Constitution, to which they ever had, and forever most cheerfully would submit."<sup>90</sup> They professed similar admiration for the British constitution five years later when they proclaimed the Townshend duties and tea tax to be the work of "the Enemies of our happy Constitution in Great Britain" which they labeled as "invaluable."<sup>91</sup> Essex residents protested Parliament's interpretation of the British constitution after 1765, but they did not reject the government as a whole or the blessings they believed it afforded.

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<sup>87</sup> Thayer, *As We Were*, 97.

<sup>88</sup> Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, MA: Belknap Press of Harvard University Press, 1967), 67.

<sup>89</sup> Breen, *The Marketplace of Revolution*, 91. For Governor William Franklin's thoughts on the British constitution and colonial relations with the British government see Sheila L. Skemp, *William Franklin: Son of a Patriot, Servant of a King* (New York: Oxford University Press, 1990), 76-77, 96.

<sup>90</sup> The Essex County Stamp Act Resolves in *New Jersey in the American Revolution, 1763-1783: A Document History*, Larry R. Gerlach, ed. (Trenton: New Jersey Historical Commission, 1975), 18-19.

<sup>91</sup> *New York Journal or General Advertiser*, June 7, 1770.

The colonists' attachment to the British Empire and its government extended beyond their respect for the British constitution; many also had great faith in King George III and passionately wished to remain his subjects. They never accused their monarch of any wrongdoing between 1765 and 1770 and laid all blame for the imperial crises on his ministers. According to colonists' own Whig ideology, any accusation of malfeasance against the king theoretically dissolved his authority and created an open state of revolution.<sup>92</sup> The colonists' behavior, however, demonstrates more than their political caution and legal foresight. Americans had developed a deep love for their monarchs by the middle of the eighteenth century. The Hanoverian dynasty inherited the legacy of Britain's Glorious Revolution of 1689, and as a result colonists imagined their kings to be benevolent rulers who protected Protestants from Catholic aggression, avoided corruption, and defended the liberty and happiness of their subjects. According to historian Brendan McConville, Americans viewed their king as the "human embodiment of the perfect balance" between the opposing forces of power and liberty, and their love for him was the "primary cohesive force" that "held all late colonial American together."<sup>93</sup>

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<sup>92</sup> Maier, *From Resistance to Revolution*, 148-149, 200-201, 210-211. Samuel Adams continued to blame all the political problems of the empire on the King's ministers and claimed that none of his allies were prepared to go further "at present."

<sup>93</sup> McConville, *These Daring Disturbers of the Peace*, 217-220. The people of Essex had great love and veneration for their monarchs and believed that he would defend them from what they regarded as the unjust and oppressive actions of New Jersey's proprietors or those holding proprietors' land claims. The proprietors won several important legal victories in New Jersey's courts in the 1730s and 1740s and issued "actions of ejectionment" against several Essex residents. The people of Elizabethtown sought relief from King II and sent two envoys to carry a petition with over three hundred signatures to London in December 1743. When the legal battle against the proprietors escalated into land riots, Essex residents continued to profess their love for their king even as they assaulted agents of New Jersey's royal government. In January 1743, a mob of three hundred Newark men refused to disperse after local magistrates read them the King's riot act, clashed with local militia, beat their sheriff, and freed two prisoners from the Newark jail. Although they had stormed a royal institution and assaulted a royal agent, the mob celebrated their success by cheering their affections for George II. Hatfield, *History of Elizabeth*, 366-367 and McConville, *The Daring Disturbers of the Peace*, 157-159.

The people of Essex displayed great affection for George III while protesting his government's attempts to tax them without the consent of their colonial legislatures. They opened their resolutions against the Stamp Act by professing that they "have all Times heretofore, and ever would bear true Allegiance to his Majesty King George the Third" and similarly pledged their loyalty to "all his royal Predecessors."<sup>94</sup> Such an opening was both customary and politically sensible, but the manner in which Essex residents celebrated the repeal of the Stamp Act in 1766 demonstrates that it was also sincere. Upon learning of the repeal, the Sons of Liberty in Woodbridge organized a large party that attracted hundreds of people. This celebration commemorated the repeal of the unpopular legislation, but based on one observer's description these festivities were also a tribute to George III. The Sons of Liberty organized their festivities for June 4, 1766 which also happened to be the king's twenty-eighth birthday. The timing of this celebration was not coincidental. The Sons of Liberty decorated the town's "Liberty Oak" for this occasion, and this symbol of popular hatred for the Stamp Act was "handsomely decorated" with the king's colors on June 4. The people of Woodbridge ate, drank, and danced as they celebrated the Stamp Act's repeal, but the atmosphere of their celebration also demonstrated their respect and love for their monarch.<sup>95</sup>

Essex residents also maintained an amicable relationship with the king's soldiers during their tax protests of the 1760s and early 1770s unlike many other colonists who increasingly regarded British soldiers as enemies of their liberty. The British government

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<sup>94</sup> The Essex County Stamp Resolves in *New Jersey in the American Revolution*, 18-19.

<sup>95</sup> *New York Gazette and Weekly Post-Boy*, June 19, 1766 and Gerlach, *Prologue to Independence*, 134. The celebration in Woodbridge was different from the one attended by Governor William Franklin in Burlington. Although the Burlington celebration drank numerous toasts honoring members of the British government and British subjects who supported America's protests, those celebrating in Woodbridge kept the subjects of their toast exclusively local. They drank in honor of the "Sons of Liberty," "the Liberty of the Press," and the "prosperity of the Jersies" amongst other toasts.

believed it was necessary to maintain an army in North America after it acquired so much land in the French and Indian War. Parliament had stationed approximately ten thousand troops on the continent by 1765. Numerous authors throughout the colonies fervently opposed this decision on both ideological and economic grounds. They, like British Whigs, believed standing armies served no purpose in times of peace other than serving as the tools of tyrants. They regarded the presence of troops in such American cities as New York and Boston after the war as dangerous to American liberty, and the residents of these cities sporadically clashed with these unwanted British garrisons.<sup>96</sup>

The British government maintained a garrison in the Elizabethtown barracks between 1765 and 1774, but these soldiers did not suffer from the harassment or violence that frequently plagued soldiers in Boston or New York. Elizabethtown experienced only one disturbance as a result of the British soldiers' consistent presence in their community. The notoriously rowdy 28<sup>th</sup> regiment rioted the night before their scheduled July 28, 1767 departure from the town in retaliation to local businessmen's demands that they pay their debts and Governor Franklin's refusal to compensate officers for personal expenses like firewood.<sup>97</sup> The Essex population did not forget the 1767 riot, but they did not allow it to negatively affect their relationship with the regiments that occupied the Elizabethtown barracks after it. The officers of the 28<sup>th</sup> regiment all paid a £25 fine to the

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<sup>96</sup> Ward, *The American Revolution*, 31, 40-41. The British garrisons within major American cities comprised only a small percentage of the total military force Parliament deployed on the continent. The vast majority of British troops were stationed in Canada or along America's new frontier, but the presence of only several hundred troops within cities often led to violence. Brawls between urban workers and British soldiers were not uncommon as the soldiers offered competition for manual labor job. Violence also erupted when British sailors attempted to impress men into service or when soldiers destroyed newly erected liberty poles.

<sup>97</sup> *New York Mercury*, August 3, 1767 and Gerlach, *Prologue to Independence*, 68. For more information on the 28<sup>th</sup> regiment's reputation, see John Shy, *Toward Lexington: The Role of the British Army in the Coming of the American Revolution* (Princeton: Princeton University Press, 1965), 161-162, 219-223, 288-289, 382-383.

Elizabethtown magistrates, and the money which subsequent regiments spent in the community formed the basis of a very cordial relationship between soldiers and citizens. The local barracks master needed to provide food and beverages to as many as 450 soldiers and therefore purchased large quantities of supplies from Essex farmers and merchants throughout the year.<sup>98</sup> For example, before arriving in Elizabethtown the soldiers of the 28<sup>th</sup> regiment consumed 11,545 rations of food in August and 8,510 rations in October of 1766. The government allocated “five pence and half penny” sterling per ration, and the regiment therefore purchased food worth between £89 and £121 sterling each month from local communities.<sup>99</sup> The 28th regiment and its successors consumed similar quantities during their stay in Elizabethtown, and the steady revenue their purchases offered Essex farmers and merchants helped to relieve any fears they may have had concerning the ideological threat these soldiers presented to their liberties. As historian Larry Gerlach argues, “the quartering of troops was an economic windfall, not a hardship” to garrison towns like Elizabethtown, and as a result its residents welcomed the increased British presence within their community.<sup>100</sup>

The true depths of Essex residents’ amicable relationship with the British garrison in Elizabethtown was confirmed in the spring of 1770 when news of the Boston Massacre did not produce the widespread animosity towards British soldiers that could be found

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<sup>98</sup> “Vaughan, Sir John, Account of Subsistence of the 46<sup>th</sup> Regiments from 24<sup>th</sup> of February to 24<sup>th</sup> of April, 1766,” “Browne, Arthur, Accounts for subsistence for his Majesty’s 28<sup>th</sup> regiment Commencing the 25<sup>th</sup> October and Ending the 24<sup>th</sup> December, 1766,” and “Browne, Arthur Account of Subsistence for His Majesty’s 28<sup>th</sup> regiment Commencing the 24<sup>th</sup> February Ending the 24<sup>th</sup> April, 1766,” Sol Feinstone Collection of the American Revolution #1475, #121, and #120, David Library of the American Revolution, Washington Crossing, PA. According to the rosters provided the size of the 28<sup>th</sup> regiment that would later reside in Elizabethtown fluctuated between 385 and 464 soldiers.

<sup>99</sup> “Browne, Arthur, Receipt for Victuals, August 4, 1766” and “Brown, Arthur, Receipt for Victuals, October 25, 1766,” Sol Feinstone Collection of the American Revolution #122 and #123, David Library of the American Revolution, Washington Crossing, PA.

<sup>100</sup> Gerlach, *Prologue to Independence*, 72.

within many other American communities. On March 5, 1770, a mob of angry Boston residents attacked British soldiers from the 29<sup>th</sup> regiment with wooden bats, planks, and stones. During the scuffle several soldiers fired upon the crowd immediately killing two and mortally wounding three others.<sup>101</sup> Whig authors and propagandists laid all blame for this deadly incident on the soldiers and argued that all British troops were capable of such bloodshed. Rather than join the widespread denunciation of all British soldiers in this heated political climate, the Elizabethtown population lavished praise upon the men of the 26<sup>th</sup> regiment who had been stationed within their community since the departure of the 28<sup>th</sup>.<sup>102</sup> Elizabethtown resident John DeHart published a letter in the *New York Mercury* stating that “harmony has always subsisted between the inhabitants of this borough” and the soldiers of the 26<sup>th</sup> regiment quartered in the barracks of Elizabethtown and Perth Amboy. DeHart professed that some soldiers were guilty of misdemeanors against local residents, but he stated that such instances were “few” in number and quickly resolved by the officers’ “utmost readiness to punish” the guilty.<sup>103</sup> The 26<sup>th</sup> regiment was remarkably popular within Elizabethtown. When it departed in the spring of 1770 the community publicly proclaimed their “Satisfaction” with “the peaceable and quiet Behavior” it had demonstrated during its residence.<sup>104</sup> Soon after the 26<sup>th</sup> regiment departed, the infamous 29<sup>th</sup> regiment responsible for the Boston Massacre was transferred into New Jersey and garrisoned in the barracks in Perth Amboy and New Brunswick. Although the notorious regiment was stationed just outside Essex County, its presence did not produce any turbulence within Essex communities. The region’s inhabitants

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<sup>101</sup> Ward, *The American Revolution*, 41-42.

<sup>102</sup> Bailyn, *The Ideological Origins of the American Revolution*, 116, 129.

<sup>103</sup> *New York Gazette and Weekly Mercury*, May 28, 1770.

<sup>104</sup> *New York Gazette and Weekly Mercury*, May 28, 1770.

expressed no condemnation of its soldiers or their involvement in the Boston Massacre. The people of Elizabethtown continued to lavish praise upon the British forces in their community as late as 1774. The local population publicly thanked and bid farewell to Captain Richard England's 47<sup>th</sup> regiment before it departed Elizabethtown, an unusually gracious gesture considering the increasingly radical nature of the colonial protest movement in 1774.<sup>105</sup>

While the people of Essex sincerely wished to maintain their bonds with the British Empire, Parliament's extreme response to the Boston Tea Party of 1773 compelled them to embrace drastic political measures to preserve their rights under the British constitution. Essex County was not directly affected by the "Intolerable" Acts that closed Boston's port and suppressed the Massachusetts constitution, but its population nonetheless sympathized with the plight of Massachusetts and regarded its struggle against Parliament as part of their own. On June 11, 1774, Essex County's male population gathered at the Newark courthouse to draft their response to Parliament's heavy-handed measures. They opened their meeting by reading the Boston Port Act and adopted familiar resolutions professing their pride in the British constitution. They expressed their vision of the colonies as "a dutiful Child" that "look[ed] up to an affectionate Parent for defense and protection," but they also conveyed the radical idea that the ongoing imperial crisis was the product of a conspiracy by some members of the British government. They resolved that Parliament's most recent legislation was "sapping that solid basis of our political Freedoms," and that its measures against the Massachusetts population "must alarm every thinking Englishman with the horrid destruction to himself and posterity, that seems advancing with such monstrous

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<sup>105</sup> Thayer, *As We Were*, 99.

strides.”<sup>106</sup> Essex residents boldly pledged their support for the establishment of a new inter-colonial and extra-legal Congress to coordinate American resistance to Parliament’s “unconstitutional” measures. They similarly called for an extra-legal assembly within New Jersey to select delegates for this American congress, and they quickly forwarded their resolutions to the twelve other New Jersey counties. The proposed assembly met on July 21, 1774, and the seventy-two delegates present selected five men to attend the First Continental Congress including three Essex residents: John DeHart, Stephen Crane, and William Livingston.<sup>107</sup>

The resolutions adopted by the Continental Congress in October of 1774 reflected the growing radicalization of the colonists’ means to challenge Parliamentary policy, but they do not reflect a change in the colonists’ goals. The Congress resolved on October 20 that all colonists needed to participate in a total boycott of British commerce, both importation and exportation. It called on all towns, cities, and counties to establish committees of correspondence and observation to enforce this economic movement known as the Continental Association, and the American population responded enthusiastically. These committees strengthened inter-colonial communications and created a sense of political unity among the colonies, but every one of these committees was nonetheless an unconstitutional political institution that challenged colonial governments for the people’s allegiance. The new committees demanded colonists obey the directives of Congress rather than directives of the crown, and those who failed to do so faced significant social repercussions. The committees monitored the behavior of all local residents and published the names of anyone who rejected their authority or violated

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<sup>106</sup> Essex County Resolutions, June 11, 1774 in *The Papers of William Livingston*, Volume 1, Carl E. Prince, ed. (New Jersey Historical Commission, Trenton, 1979), 17-18.

<sup>107</sup> Ibid. and Gerlach, *Prologue to Independence*, 212-213.

the terms of the Association so they could be “universally condemned as enemies of American liberty.”<sup>108</sup> The committees circumvented local courts and undermined the established judicial processes, yet most Essex residents regarded such extreme measures as necessary in their quest to restore their previous relationship with the British government. Elizabethtown, Newark, and Acquackanonk all established committees of observation between December 6 and December 12, 1774.<sup>109</sup>

Since Essex County was not a thriving commercial center, its committees did not face as monumental a task enforcing the Association as their counterparts in New York, but its close proximity to Staten Island produced some difficulty for Essex committees. Many Staten Island residents were unwilling to sever all commercial relations with Great Britain, and by the winter of 1775 the people of Essex concluded that Staten Island’s population supported Parliament’s agenda rather than Congress’s. Rumors concerning smuggling operations on Staten Island and plots to bring British goods into Essex circulated throughout its communities and prompted an angry mob to attack James Johnson after he paddled his canoe from Staten Island to Elizabethtown. Johnson had come to sell oysters in the town, but the mob dragged both Johnson and his canoe to their liberty pole and accused him of participating in a scheme to smuggle British goods from a nearby Scottish vessel into their community. Several members of Elizabethtown’s committee of correspondence, however, believed Johnson’s pleas of innocence and

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<sup>108</sup> Gerlach, *Prologue to Independence*, 212-213.

<sup>109</sup> *New York Gazette and Weekly Mercury*, December 5, December 19, and December 26, 1774. On November 28, the Essex County Committee of Correspondence informed the public of Congress’s request concerning the Association and the need to hold those “so lost to a sense of public virtue” accountable for their behavior. The speed with which these communities responded demonstrated their sense of urgency. These were very large political bodies; the Elizabethtown committee had thirty-four members, and Newark’s and Acquackanonk’s had twenty-three and twenty-one members respectively. See also *Minutes of the Provincial Congress and the Council of Safety of the State of New Jersey* (Trenton: Naar, Day & Naar, 1879), 37-39.

dispersed the crowd. Local fears concerning Staten Island's opposition to the Association persisted, however, and the Elizabethtown committee responded on February 13.<sup>110</sup> It declared that the people of Staten Island had "manifested an unfriendly disposition toward the liberty of America," and to preserve the Association it imposed a ban on all "trade, commerce, dealings, or intercourse whatsoever" with the island's residents.<sup>111</sup> Although this order came from an extra-legal body that existed outside the established colonial government, most Essex residents supported the committee's work as necessary to protect the British constitution from Parliament's attempts to subvert it.<sup>112</sup>

In December 1774, Newark and Elizabethtown committees of observation established drastic censorship policies against those who criticized Congress and local committees of observation, but these voters believed this step was necessary to combat a growing conspiracy against their liberties. The primary target of their censorship campaign was the publisher of the *New York Gazetteer*, James Rivington, whom they labeled as a "Ministerial Hireling" who deliberately sowed discord throughout the colonies to further Parliament's agenda. His publications were notorious throughout America for their false statements and unflattering portrayal of colonial protests and Congressional leaders. For example, Rivington characterized the Elizabethtown residents who attacked James Johnson as "the sons of licentiousness," and he falsely reported that one of Johnson's protectors, Jonathan Hampton, had led the assault while, "as usual,

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<sup>110</sup> *Rivington's New York Gazetteer or the Connecticut, New Jersey, Hudson's River, and Quebec Weekly Advertiser* (hereafter referred to as *Rivington's New York Gazetteer and Weekly Advertiser*), March 2, 1775 and March 23, 1775 and Philip Papas, *That Ever Loyal Island: Staten Island and the American Revolution* (New York: New York University Press, 2007), 29-30. The committee members who saved Johnson were Elias Boudinot, Jonathan Hampton, and Jonathan Blanchard.

<sup>111</sup> "Elizabethtown, NJ February 13, 1775" in *American Archives*, Peter Force, ed. Volume 4, 1234-1235.

<sup>112</sup> Papas, *That Ever Loyal Island*, 28-29. Most of the Essex population fully cooperated with the Elizabethtown committee's investigation of an alleged smuggling operation involving New York merchants, Staten Island residents, and several Elizabethtown inhabitants.

completely drunk.”<sup>113</sup> Both the Elizabethtown and Newark committees of observations condemned Rivington and resolved that they would cease all business with him. On December 19, the Elizabethtown committee unanimously declared Rivington “inimical to the liberties of America” and discouraged all residents from reading his papers or face social reprisal.<sup>114</sup> The Newark committee similarly denounced his “scandalous and criminal reflections upon that reputable body, the Continental Congress” and promised to treat those who “ridicule[d] and slander[ed]” its members “with the utmost contempt, as they merit.”<sup>115</sup> Rivington’s supporters believed that such measures were excessive, illegal, and threatened to “make us worse than slaves to you committee-men.”<sup>116</sup> The vast majority of Essex residents, however, disagreed and accepted the resolutions of both the Continental Congress and their extra-legal committees as vital to their efforts to save the empire.

The voters of Essex County also censored the political writings of their communities’ most prominent Anglican leader, Thomas Bradbury Chandler, in 1774. His proposal for Anglican bishops within America earned him the ire of many Essex residents, but his political writings in the fall of 1774 provoked an even stronger response. Chandler displayed his ongoing support for the Intolerable Acts and

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<sup>113</sup> *Rivington’s New York Gazetteer and Weekly Advertiser*, March 2, 1775. Rivington did publish a response by Hampton refuting his portrayal of events in his March 23 edition.

<sup>114</sup> *Minutes of the Provincial Congress and the Council of Safety of the State of New Jersey*, 41.

<sup>115</sup> *Ibid.*, 38-39.

<sup>116</sup> “‘A Freeholder’ to the Essex County Committee,” *Rivington’s New-York Gazetteer and Weekly Advertiser*, January 5, 1775 in *New Jersey in the Revolution*, 102-104. The author condemns Congress for, “under the pretence of limiting the power of Kings, Lords, and Commons, they create a power unknown to our constitution” and the extreme measures they employ. He asks how so many men who practiced law could “so bare-facedly” violate “our constitution” and proclaims “I will never bow my neck to such servitude. I will oppose the measures of a King and his Parliament, whenever they are dangerous to my Liberty, but I will never give my voice for measures, by which the constitution of my country is thus wantonly to be altered, and by which men are to be clothed with power to revenge themselves upon their neighbours without controul, and the poor victim of their mad zeal, malice or wrath, is to be exposed to infamy and disgrace, unheard, without the form of a trial, and against the laws of this country.”

Parliament's authority over the colonies in his pamphlet, *A Friendly Address to All Reasonable Americans*. Like Rivington, he denounced the Continental Congress as an illegal body whose policies could destroy the British constitution its delegates claimed to hold dear. Chandler asserted that Congress's attempt "to disturb or threaten an established government by popular insurrections and tumults" was an "unpardonable crime." He also argued that "no misconduct of the administration can justify or excuse" the open disrespect which the colonists had shown Parliament. By December 1774, the men of Elizabethtown would no longer tolerate such a message within their community. They voted unanimously to condemn his pamphlet at their December 6, 1774 assembly due to its "many notorious falsehoods, evidently calculated to sow the seeds of disunion among the good people of America" and "facilitate the scheme of the British ministry for enslaving the colonies."<sup>117</sup> They resolved that his pamphlet must be "publicly burnt," and enthusiastic residents quickly fulfilled that promise by destroying several copies outside the Elizabethtown courthouse.

The measures unanimously adopted against Thomas Bradbury Chandler's writings demonstrate the people's opposition to his theories on the British constitution, but they were not a rejection of Chandler himself or his relationship with the king's government. Elizabethtown's Anglicans would have been present at the town meeting that condemned Chandler's writings. The unanimous vote reflected Anglicans' opposition to their minister's political ideas, but they continued to embrace the Anglican

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<sup>117</sup> *New York Gazette and Weekly Mercury*, December 19, 1774. Chandler's pamphlet was not the only one condemned at this meeting. The voters also decreed that the works signed "A Farmer" should also be burned. Larry Gerlach argues that this was the pseudonym of Reverend Samuel Seabury of Westchester County, New York and that the contentious tract was likely *Free Thoughts on the Proceedings of the Continental Congress* or *The Congress Canvassed*. Editor's Note, *New Jersey In the American Revolution*, 99.

Church and Chandler's role as a spiritual leader. According to the minister, his congregation actually grew throughout the turbulent political crises of the early 1770s. He proudly informed church officials that St. John's was one of the largest Anglican parishes in all New Jersey and "contained no less than 100 Families, of which about 80 Persons are Communicants."<sup>118</sup> His services continued to attract a substantial number of "Dissenters," and by 1774 his congregation had grown so large that it could no longer fit within their sixty-eight year old church.<sup>119</sup> Despite the unprecedented political turmoil surrounding the Intolerable Acts, Chandler's congregation grew steadily and began construction of a substantial 4,200 square-foot church that was completed by the end of 1774.<sup>120</sup> Chandler and his congregation weathered the numerous ideological storms and challenges to British authority between 1765 and 1774 because the people of Essex rejected British policies, not the empire as a whole. Unfortunately for Chandler and his congregation, shocking news from Lexington and Concord in the spring of 1775 caused many to re-evaluate their traditional pride in their British identity and their ongoing relationship with Great Britain.

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The residents of Essex County, New Jersey conveyed great praise upon the British Empire throughout the middle of the eighteenth century. The Congregationalists who originally settled the region in the 1660s widely regarded the Anglican Church, the king's government, and British society as highly corruptive leading them to have minimal

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<sup>118</sup> Thomas Bradbury Chandler to the Secretary of the SPG in Clark, March 27, 1769 in Clark, *The History of St. John's Church*, 142.

<sup>119</sup> Thomas Bradbury Chandler to the Secretary of the SPG in Clark, June 24, 1771 in Clark, *The History of St. John's Church*, 150.

<sup>120</sup> Thomas Bradbury Chandler to the Secretary of the SPG in Clark, January 28, 1775 in Clark, *The History of St. John's Church*, 152.

dealings with Great Britain. Eighty years later, however, their descendents turned their attention toward Great Britain and established numerous religious, military, and economic ties with it. They regarded the British monarchy and the constitutional government that emerged after the Glorious Revolution the ideal form of government, and this perspective did not change during their protests against Parliament's financial reforms of the 1760s and 1770s. Despite the ideological fervor that swept their communities during this period, Essex residents continued to worship in Anglican churches, desire British merchandise, and respect the British military.

By the summer of 1774, the vast majority of Essex residents embraced the increasingly radical policies of the Continental Congress and their local committees of correspondence because they believed these policies would save the British constitution from a conspiracy that sought its destruction. New Jersey's governor, William Franklin, stated in 1765 that an "indissoluble Union of the Hearts of all the Kings Subjects in the Bonds of mutual Affection" held the British Empire together; the only contention he saw between the colonists and the British population was their competitive desire to "exceed the other in contributing to . . . the Glory of the British Empire."<sup>121</sup> Nine years later the people of Essex County continued to share their governor's commitment to Great Britain and proclaimed themselves to be "fast friends to the revolution settlement," who "detest[ed] all thoughts of an independence of the Crown of Great Britain."<sup>122</sup> Despite the radicalization of the American Revolution 1765 and 1774, Essex residents' affection for the British Empire did not wane before any blood had been shed at Lexington and Concord.

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<sup>121</sup> Skemp, *William Franklin*, 76-77.

<sup>122</sup> David Lawrence Pierson, *Narratives of Newark (In New Jersey): From the Days of Its Founding, 1666-1916* (Newark: Pierson Publishing, 1917), 183.

## **Chapter Two -- “Every Prospect of Peace Must Vanish”: Debating American Independence, 1775-1776**

The battles at Lexington and Concord in April 1775 permanently changed the American colonists' effort to reform their relationship with the British government. Since the passage of the 1765 Stamp Act the colonists had passionately, and sometimes violently, protested Parliament's attempts to secure additional revenue from them and labeled these taxes as unjust violations of their rights as British subjects. In the wake of these battles, however, what had long been a widespread political movement transformed into a shooting war against British soldiers.

This radical turn of events occurred only a few weeks before the Second Continental Congress was scheduled to convene in Philadelphia on May 10, 1775. Its delegates were charged with the same tasks facing the First Congress such as organizing inter-colonial resistance to unpopular Parliamentary measures and pursuing a final resolution to the imperial crisis. The outbreak of war, however, required the Second Continental Congress to deal with the numerous military issues facing the colonies. Congress therefore faced the daunting task of coordinating America's resistance to Parliament's attempt to militarily enforce its authority while simultaneously convincing the British government of their loyalty and sincere desire for peace. The ongoing siege of royal troops in Boston together with the massive casualties suffered by British soldiers at the Battle of Bunker Hill led many British officials, especially George III, to question the sincerity of colonial petitions declaring loyalty or American envoys speaking of reconciliation. By the end of 1775 it was clear to the colonists that the King was not interested in a diplomatic solution to the crisis.

Although the conflict that began outside of Boston quickly spread throughout the colonies, the people of Essex County were relatively isolated from the early skirmishes in Massachusetts, Quebec, and South Carolina. Essex men eager for an opportunity to participate in the war effort, however, received an unusual opportunity on January 22, 1776. The Elizabethtown Committee received word that Colonel William Alexander of the Continental Army (also known as Lord Stirling due to his claim to that Scottish title) planned to capture the *Blue Mountain Valley*, a British vessel stranded off the New Jersey coast. The ship was rumored to contain numerous supplies bound for British troops in New York City, but a storm had recently driven it into Princess Bay near the southern coast of Staten Island where it became trapped. Upon learning of its plight, Stirling prepared for a quick assault on the vessel to ensure that nearby British forces would have no time to mount their own rescue operation. Since most of his Continental regiment was currently dealing with a Tory uprising on Long Island, Stirling's expedition force was comprised of only thirty soldiers. When the Elizabethtown committee learned of Stirling's plan, they feared his small force would be overpowered by the sailors and soldiers aboard the British vessel. The committee immediately called for local militiamen to assist in the attack. Approximately eighty men from Elizabethtown responded and sailed south to join Stirling's force at nearby Perth Amboy. Under the cover of darkness this ad hoc strike force sailed in search of the stranded British vessel. After several hours of exposure to the frigid water and cold winter air, they finally spotted it just before daybreak. The *Blue Mountain Valley*'s crew did not detect Stirling's force, and his soldiers successfully boarded and seized the vessel without firing a single shot. They secured its crew, quickly removed enough cargo from the ship to free

it from the shallow waters, and sailed their prize back to Elizabethtown Point.<sup>1</sup> The loss of one supply ship did not drastically weaken the British army operating in the colonies in early 1776, but the Essex residents participating in this operation were extremely proud of what they had accomplished. The men not only received a portion of the revenue raised through the sale of the vessel's cargo but also had their first taste of military combat and victory.

The *Blue Mountain Valley* assault illustrates that the people of Essex were united in opposition to Parliament's taxes and its use of military force nine months after the conflict began in Massachusetts. This unity, however, would evaporate throughout 1776. As the war escalated, a growing number of colonists embraced the radical idea of American independence, but many rejected that goal believing independence to be undesirable or requiring too many sacrifices from the American population. This chapter illustrates how the question of independence divided the Essex population in both July 1776 when Congress proclaimed American independence as well as in December 1776 when British soldiers occupied Elizabethtown. When the Revolution began in April 1775 it was supported by a broad coalition of political radicals, moderates, and conservatives throughout the region who shared a common Whig ideology and a common enemy in the British government. Calls for American independence, however, splintered this Revolutionary movement throughout 1776 and destroyed longstanding political and social relationships between the region's inhabitants such as those who risked their lives to capture the *Blue Mountain Valley*.

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<sup>1</sup> Reverend Edwin F. Hatfield, D.D., *The History of Elizabeth, New Jersey Including the Early History of Union County* (New York: Carlton & Lanahan, 1868), 420-424 and Theodore Thayer, *As We Were: The Story of Old Elizabethtown* (Elizabeth, NJ: Grassman Publishing Company, Inc., 1964), 107-108

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Essex County residents first learned of the violent clash between British soldiers and the Massachusetts militia in Lexington four days after the battle. A dispatch rider travelling from Boston to Philadelphia had spread the news in major towns along his route such as Worcester, New Haven, New York City, and New Brunswick. On April 23, 1775 the rider met with the chairman of the Elizabethtown Committee of Safety, Elias Boudinot. He presented Boudinot a letter stating “a Brigade, consisting of about 1000 or 1200 Men” had marched from Boston to Lexington where it “found a Company of our Militia in Arms, upon whom they fired without provocation and killed 6 Men and wounded four others.”<sup>2</sup> Word of the battle quickly spread throughout Essex communities, and the anger residents undoubtedly felt led some to distort the information conveyed to Boudinot. By the time news of the conflict in Lexington reached Jemima Condict, a twenty-one year-old single woman living in Newark, the number of lives unjustly taken by British soldiers had increased significantly. Condict recorded in her diary on April 23, 1775 “every Day Brings New Trouble So this Day Brings News that yesterday very early in the morning They Began to fight at Boston, the regulers We hear Shot first there, they killd 30 of our men . . .”<sup>3</sup>

The people of Essex responded to the shocking news from Massachusetts with outrage towards the British soldiers and widespread support for Americans everywhere. The colonial protests against Parliament’s imperial reforms fostered a growing sense of unity and common identity amongst the colonists, and Condict’s diary illustrates that the

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<sup>2</sup> George Adams Boyd, *Elias Boudinot: Patriot and Statesmen, 1740-1821* (Princeton: Princeton University Press, 1952), 25.

<sup>3</sup> Jemima Condict Harrison, *Jemima Condict Her Book: Being a Transcript of the Diary of an Essex County Maid during the Revolutionary War* (Newark: Carteret Book Club, 1930), 51-52.

people of Essex regarded those who fell at Lexington as “our” men. One day after receiving news of the battle all eighteen members of Newark’s Committee of Observation unanimously declared their willingness “to risk their lives and fortunes in support of American liberty.” These men recommended that their constituents “give all necessary support in their power to our brethren in the Province of Massachusetts Bay in the present alarming exigency.”<sup>4</sup> Ten days later, the voters of Newark held a town meeting and passed a similar resolution pledging their support for the people of Massachusetts. They proclaimed that the “very existence of the rights and liberties of America” could “subsist on no other basis than the most animated and perfect union of its inhabitants.” Newark voters also expressed their “horror at the bloody scene now acting in the Massachusetts Bay.” They similarly promised with “hearts perfectly abhorrent of slavery” to “personally, and as far as our influence can extend, endeavour to support” all measures necessary to combat “the execution of the several despotick and oppressive Acts of British Parliament . . .”<sup>5</sup>

Opposition to the British army’s recent behavior in Massachusetts was so great within Essex that even those who defended Parliament’s supreme authority over the colonies expressed concern about what British soldiers in Boston had done. The Reverend Thomas Bradbury Chandler supported many of Parliament’s imperial reforms throughout the 1760s and 1770s. In December 1774, his neighbors had publicly condemned his writings against the Continental Congress and burned several copies in front of the Elizabethtown courthouse. Despite his strong Tory sentiments, Chandler joined the people of Essex in criticizing British soldiers’ actions at Lexington and

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<sup>4</sup> *Minutes of the Provincial Congress and Council of Safety of the State of New Jersey* (Trenton, Naar, Day, & Naar, 1879), 101.

<sup>5</sup> *Ibid.*, 112.

Concord five months after he proclaimed that “no misconduct of the administration can justify” open disrespect to Parliament.<sup>6</sup> On April 27, 1775 Chandler wrote to Elias Boudinot expressing his fears that General Gage’s actions would provoke a civil war. He wished that all Americans would “earnestly beseech the General of the King’s Army . . . to suspend his military Operations, till the Case of this Country can be once more presented to the consideration of his Majesty.”<sup>7</sup>

In addition to public expressions of solidarity with the Massachusetts population, the people of Essex were also united in their commitment to military preparation in the face of such British aggression. Like most Americans, they demonstrated a sudden enthusiasm for all military matters, a phenomenon that historian Charles Royster defines as the colonists’ “rage militaire.”<sup>8</sup> The men of Essex lived too far from Massachusetts to participate in the New England militia’s siege on the British army at Boston, but their passion for arms prompted them to find indirect ways to assist the Revolutionary war effort. In July 1775 members of the Essex militia apprehended three suspected Continental soldiers rumored to have deserted their regiment in upstate New York. Jonathan Hampton, chairman of the Elizabethtown General Committee, informed New York’s Provincial Congress that one of the captives closely resembled a known deserter from General Wooster’s regiment. He ordered all three men to New York for further examination because inconsistencies in their stories “render[ed] them so suspicious.”<sup>9</sup> Moreover, the people of Essex aided in the siege of Boston by providing valuable

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<sup>6</sup> Larry R. Gerlach, *Prologue to Independence: New Jersey in the Coming of the American Revolution* (New Brunswick, NJ: Rutgers University Press, 1976), 237.

<sup>7</sup> *Ibid.*, 259.

<sup>8</sup> Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783* (Chapel Hill: University of North Carolina Press, 1979), 25-53.

<sup>9</sup> *Minutes of the Provincial Congress and Council of Safety*, 160.

military supplies, namely ammunition, to the newly formed Continental Army under the command of George Washington.<sup>10</sup> The army was in desperate need of ammunition, a factor that contributed to its retreat at the Battle of Bunker Hill in June 1775 despite inflicting such heavy casualties on the assaulting British soldiers. On July 17, 1775 the Elizabethtown General Committee offered a financial reward of £20 New Jersey currency for every one hundred pounds of saltpeter given to the committee by residents before October and later offered a £15 reward for the subsequent three-month period.<sup>11</sup> The townspeople responded quickly to this call, and one month later Elias Boudinot and the Elizabethtown General Committee provided Washington's army with one of its first shipments of ammunition.<sup>12</sup>

Essex County's indirect participation in the colonists' conflict with Parliament, however, was not enough to quench the people's passion for arms. Widespread concern over Parliament's determination to uphold its authority through the use of force created a sudden interest in military discipline and the art of war among many colonials previously uninterested in such matters.<sup>13</sup> Prior to the Revolution the colonists displayed increasing indifference to military affairs. Historian John Shy observes that "tidy colonial laws, imposing a military obligation on almost every free adult white males, became less and less an accurate mirror of military reality."<sup>14</sup> Before 1775 most men living in Essex had never seen combat or acquired the skills necessary to do battle with well-trained and experienced British soldiers. While New Jersey men did participate in the French and

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<sup>10</sup> Hatfield, *History of Elizabethtown*, 419. According to one of Washington's reports to the Continental Congress, his soldiers outside of Boston possessed as little as eight or nine rounds of ammunition each.

<sup>11</sup> *Ibid.*

<sup>12</sup> Boyd, *Boudinot*, 26.

<sup>13</sup> Royster, *A Revolutionary People at War*, 27.

<sup>14</sup> John Shy, *A People Numerous and Armed: Reflections on the Military Struggle for American Independence*, 4<sup>th</sup> ed. (Ann Arbor: University of Michigan Press, 1993), 40.

Indian War, their colonial government outfitted only 1,000 troops for much of the conflict because it did not wish to assume the high costs of maintaining a large army.<sup>15</sup> As a result, few members of the Revolutionary population had any battle experience.

This problem was exasperated by the shortcomings in New Jersey's militia laws that created a situation in which few Essex men had ever learned the skills necessary to properly conduct themselves in battle. Colonial militia laws provided men of all social classes the opportunity to avoid militia training altogether through stipulations rendering certain men exempt from service due to the importance of their professions. According to New Jersey's 1746 militia law, all members of the New Jersey Council, General Assembly, and all other government officers were exempt from service as were all previous militia field officers and captains.<sup>16</sup> Men who provided valuable public services that could not be easily replaced such as ministers, physicians, schoolmasters, millers, and ferrymen were also excused. Farmers and other laborers not exempt from service could also avoid militia training if they wished by simply paying a small fine of four shillings.<sup>17</sup> The colonial government never adjusted this penalty between 1746 and 1775, and as a result of inflation this fine became so insignificant that even the poorest of residents could avoid militia training day if they chose.<sup>18</sup> Lastly, the low number of militia training sessions required by law, as well as the care-free atmosphere that

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<sup>15</sup> For a history of New Jersey's military contributions to the French and Indian War see Edgar Jacob Fisher, *New Jersey as a Royal Province 1738-1776* (New York: Columbia University, 1911), 318-358.

<sup>16</sup> "An Act to revive and amend an Act entitled an act for better Setting and regulating the Militia of this Colony of New Jersey, for the repelling and Suppressing Insurrection and Rebellions," *New Jersey General Assembly, Votes and Proceedings, 1703-1996*, Vol. 4, October 2, 1741- July 8, 1748.

<sup>17</sup> *Ibid.*

<sup>18</sup> Nathaniel Baldwin (Shoemaker), Account Book, Manuscript Group 74, New Jersey Historical Society (NJHS) The on the eve of the American Revolution the four shilling penalty proscribed by law was roughly the equivalent of such ordinary expenses as mending a pair of shoes. Baldwin charged Samuel Pennington and other residents an average 3 shillings for this service in 1771 and 1772.

accompanied these sessions were not conducive to instructing those men who did report. Prior to the Revolution, New Jersey law required men to participate in militia training only two or four times each year, and contemporary accounts illustrate that training days were often treated as raucous social events rather than opportunities to acquire military knowledge and discipline.<sup>19</sup> Because of the inefficiencies of colonial law, few men in Essex were prepared for the conflict that erupted in April 1775.

The Continental Congress did not create the New Jersey Continental Line until November 1775, and as a result the local militia was the only body through which the Essex population could channel their “rage militaire” at the start of the war. Men quickly adopted a new attitude towards militia training after learning about the events at Lexington and Concord. On April 24, 1775 the Newark Committee of Observation recommended that all local militia captains ignore previous traditions concerning the frequency of militia training and instead “muster and exercise their respective Companies at least once every weekend.”<sup>20</sup> Furthermore, Newark’s leaders called not only for greater frequency of militia training but also greater participation by citizens in militia training. The Committee of Observation called on those whose youth would have excused them from militia training at times of peace to participate in training days after April 1775. The committee “requested of all heads of families and masters of apprentices to encourage all of proper age under their direction to learn the military exercise, and to allow them such portions of time as many be necessary to make them perfect therein.”<sup>21</sup> Because of the public’s widespread enthusiasm for military activity in the wake of British

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<sup>19</sup> Brendan McConville, *These Daring Disturbers of the Public Peace: The Struggle for Property and Power in Early New Jersey* (Ithaca: Cornell University Press, 1999), 53.

<sup>20</sup> *Minutes of the Provincial Congress and Council*, 101.

<sup>21</sup> *Ibid.*

aggression, the Essex militia ranks swelled with volunteers. In September 1775 Elias Boudinot reported that Elizabethtown alone had 950 men under arms and that Newark maintained approximately 800 militiamen.<sup>22</sup>

These volunteers did not have the opportunity to demonstrate their prowess on the battlefield against British forces, but on several occasions from late summer to the fall of 1775 militiamen displayed their new military discipline for their communities and prominent Revolutionary figures travelling through Essex County. On June 24, 1775, the Essex militia demonstrated their newfound discipline for General George Washington as he passed through Elizabethtown en route from Virginia to Massachusetts to assume command of the Continental Army outside Boston.<sup>23</sup> Six months later, Essex militiamen received yet another opportunity to display their prowess when they accompanied the wives of several Continental generals, including Martha Washington, through Essex County as they journeyed to their husbands' camps in New England.<sup>24</sup> Such parades and demonstrations by the Essex militia were impressive spectacles. On October 4, 1775 seventeen Essex militia companies, including one company of Light Horse, paraded for review in front of the Elizabethtown courthouse. According to one observer, the soldiers "went through their Military Exercises with Alertness and Regularity, and made a very handsome Appearance."<sup>25</sup>

The military enthusiasm manifested by the people of Essex in 1775 sprang from their steadfast resistance to Parliament's new taxes and imperial policies. At the same time, they did not regard their military preparations as disloyal acts that challenged their

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<sup>22</sup> Gerlach, *Prologue to Independence*, 281.

<sup>23</sup> Thayer, *As We Were*, 104.

<sup>24</sup> Hatfeld, *Elizabeth*, 420.

<sup>25</sup> *The New York Gazette and Weekly Mercury*, October 9, 1775.

allegiance to the British government. While preparing for battle, political leaders in Essex as well as Philadelphia repeatedly professed their loyalty to both Parliament and King George III. For example, Newark's May 18, 1775 meeting of the General Committee of Association labeled Parliament's recent legislation as "wretched chains of slavery," but the committeemen also instructed voters to maintain a spirit of "moderation." They reported that their hearts were "glowing with affection, overflowing with loyalty to our Sovereign."<sup>26</sup> Subsequent declarations by the Continental Congress similarly expressed the colonists' desire to remain British subjects. Thomas Jefferson's and John Dickinson's "Declaration for the Causes and Necessity of Taking Up Arms," adopted by Congress on July 6, 1775, was devoid of any radical language or ideas. It stated that Americans had no desire to "dissolve that union which has so long and so happily subsisted between" the colonies and Great Britain. The Declaration professed a sincere desire to see a constitutional relationship between the colonists and the British government restored and argued that their military preparations were only a necessary means to resist the "servitude or death" the British army would force upon America.<sup>27</sup>

The Provincial Congress of New Jersey likewise committed itself to reconciliation in its May and October 1775 sessions. This extra-legal body usurped many of the powers of New Jersey's colonial government including collecting taxes and coordinating the militia, but its delegates nonetheless desired a quick resolution to the "unhappy contest between Great Britain and these colonies." In May 1775 the Provincial Congress

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<sup>26</sup> *Minutes of the Provincial Congress and Council of Safety*, 149-150

<sup>27</sup> "Declaration for the Causes and Necessity of Taking Up Arms,"

<http://www.nationalcenter.org/1775DeclarationofArms.html>, accessed February 20, 2010, 11:15 am. For additional information concerning Congress's steadfast opposition to American independence see "Jay, John Address [ca. May-June 1775]," Sol Feinstone Collection of the American Revolution #626, David Library of the American Revolution, Washington Crossing, PA. Jay claimed that the "enemies of America" made repeated "ungenerous groundless charges of [our] aiming at independence" and cites eleven passages from the Minutes of Congress to illustrate the "malice and falsity of such charges."

declared its “profoundest veneration for the person and family of his sacred Majesty George III, firmly professing all due allegiance to his rightful authority and government.” It also issued a similar prayer that “peace, unanimity, and harmony may be happily re-established between” the colonies and Great Britain.”<sup>28</sup> While the people of Essex prepared for war after April 1775, all levels of their government assumed a cautious approach toward the Revolution and pledged their desire to reform, not destroy, the British Empire in America.

Although Essex residents believed they fought to protect their liberties as British subjects, the British government’s response to their proclamations of loyalty convinced many that a satisfactory reconciliation was unattainable by February 1776. The actions of George III and Parliament throughout the fall of 1775 demonstrated that they were uninterested in the imperial reforms suggested by the colonists and had embraced a military rather than diplomatic resolution to the crisis. When Congress’s “Olive Branch” Petition arrived in London in September 1775 the king refused to formally receive it or officially respond to its proposals. His policy decisions in the weeks following its arrival, however, provided the colonists an indirect but firm answer to reforms Congress suggested in the petition. In October 1775 George III declared that the colonies in an “open and avowed rebellion” against his government and that the Continental Army’s siege of Boston and invasion of Canada demonstrated the insincerity of colonial professions of loyalty. He told Parliament on October 26, 1775 that he believed the colonists’ behavior was “manifestly carried on for the purpose of establishing an

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<sup>28</sup> *Minutes of the Provincial Congress and Council of Safety*, 171 and 198.

independent Empire.”<sup>29</sup> Since the Continental and Provincial Congresses had raised both an army and navy to resist the British military, seized public funds, and usurped power from all branches of colonial government, George III approved Parliament’s Prohibitory Act in December 1775. This legislation outlawed all commerce between British merchants and Americans and also declared the colonies to be outside of the king’s protection. According to its provisions, all American vessels as well as their cargo and crew were now the prey of the British navy. Despite Americans’ protestations of loyalty, the king believed the colonists’ actions were more important than their words. By the fall of 1775, George III regarded the Americans no differently than a foreign population that had declared war on Great Britain.<sup>30</sup>

News of the king’s October address to Parliament and the passage of the Prohibitory Act reached the colonies in January and February 1776 and shattered the hopes of many who sincerely wished remain a part of a reformed British empire.<sup>31</sup> This knowledge concerning Great Britain’s escalating military policies circulated throughout Essex at the same time that its residents read new political works promoting American independence. Throughout 1775 the vast majority of colonists rejected independence as an extreme measure considered only by radical political figures such as Boston’s Samuel Adams. The king’s numerous proclamations on colonial aggression and the measures necessary to combat it, however, caused men who had previously rejected independence to publicly and privately debate its merits. Essex residents reading the December 21, 1775 edition of *New York Journal* encountered the first published defense of American

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<sup>29</sup> Pauline Maier, *American Scripture: Making the Declaration of Independence* (New York: Alfred A. Knopf, 1997), 24-25.

<sup>30</sup> *Ibid.*, 25-26.

<sup>31</sup> *Ibid.*, 26.

independence written by a New Jersey resident. Writing under the name “Lycurgus,” the author posed a series of rhetorical questions about the Pennsylvania Assembly’s refusal to authorize its Congressional delegates to discuss any propositions that would lead to American independence. Lycurgus asked why Americans should voluntarily “put our necks into [Britain’s] yoke?” and challenged the economic wisdom of limiting America’s trade exclusively with British merchants as required under imperial law. He asked those promoting reconciliation if they were “sure that ‘tiz best that America should not be independent as to government . . . [if] several nations, suppose Britain, Holland, France, and Spain, should have equal advantage to our trade” they would “all be bound to maintain our independency in other respects.”<sup>32</sup> Throughout the winter of 1776 other New Jersey authors similarly promoted independence in newspapers or broadsheets.<sup>33</sup> In doing so they joined celebrated pamphleteer Thomas Paine in acknowledging the possible political and economic benefits of independence and drove this issue to forefront of revolutionary politics.

Although the question of independence was a highly polarizing one that offered no room for compromise, the broad coalition of conservative, moderate, and radical revolutionaries remained united throughout the winter of 1776. An examination of the Elizabethtown men who participated in Stirling’s *Blue Mountain Valley* expedition illustrates that both future advocates and opponents of independence would eagerly take up arms against British forces in January 1776. As long as the Continental Congress’s official policy remained the pursuit of reconciliation there was no reason all opponents of Parliamentary taxation could not join Stirling’s attack. The vessel’s crew likely regarded

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<sup>32</sup> *New York Journal*, December 21, 1775 in Gerlach, *Prologue to Independence*, 302.

<sup>33</sup> Gerlach, *Prologue to Independence*, 302-303.

their actions as treasonous, but these soldiers and militiamen had not sworn any oaths that violated their allegiance to the king.<sup>34</sup> They believed they were acting as British subjects participating in the British tradition of armed opposition to tyranny, and they hoped endeavors such as this expedition would convince Parliament to pursue a diplomatic solution that would save the empire.

Historians documenting the capture of the *Blue Mountain Valley* often highlight the presence of Essex County men who would become future military or political heroes, but they overlook the participation of men who would later be regarded as venomous Tories who hindered America's quest for liberty. Theodore Thayer emphasizes the participation of Colonel Elias Dayton and Major Francis Barber because the people of Essex regarded these men as heroes by the war's conclusion. They served in the Continental Army throughout the entire Revolution, before the colonists declared their independence and long after it. Thayer also celebrates the youthful enthusiasm of Aaron Ogden, a twenty-year old Elizabethtown resident who later became a national senator and governor of New Jersey in the early 1800s.<sup>35</sup> These patriotic Revolutionaries, however, stormed the stranded British vessel with men who would later openly support Parliament's authority over the colonies and violate laws designed to bring Americans victory. Samuel Smith, a private in the Essex militia, joined the assault on the *Blue Mountain Valley* because he vehemently opposed Parliamentary taxation of the colonies and its use of military forces against the colonists. He did not, however, reject all British authority in America, and his opposition to American independence led him to eventually abandon the Revolution and support the British war effort. According to an Essex grand

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<sup>34</sup> Harold Melvin Hyman, *To Try Men's Souls: Loyalty Tests in American History* (Westport, CT: Greenwood Press, 1981), 70-77.

<sup>35</sup> Thayer, *As We Were*, 106-108.

jury, Smith did “join, aid, assist” the British army and “take up arms” against the Revolution when he served as a guide to British forces in January 1777. At the war’s conclusion in 1783, Smith had fled Elizabethtown and lost all of his property within the region.<sup>36</sup>

Although Smith was the only participant in the *Blue Mountain Valley* assault to become an open Loyalist, many Essex residents would later question the allegiance of two other members of Stirling’s force, Lewis Blanchard and John Hendricks. Both men remained within Essex throughout the war and professed allegiance to New Jersey’s independent government, but their behavior was condemned as criminal and traitorous by prominent figures such as George Washington leading some to doubt their loyalty. In June 1780, Blanchard travelled to enemy lines immediately after British forces launched a massive invasion of Elizabethtown.<sup>37</sup> Hendricks not only traded with British soldiers throughout the war but he also weakened New Jersey’s wartime economy by counterfeiting its paper currency.<sup>38</sup> By the war’s conclusion Blanchard escaped military custody and fled prosecution for illegal trade, and Hendricks’s reputation as a smuggler and counterfeiter led many to regard him as a “Tory” as late as the 1840s.<sup>39</sup> While the behavior of Smith, Blanchard, and Hendricks tarnished their post-war legacies within Essex County, in January of 1776 they were still part of the broad coalition of

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<sup>36</sup> Records of Commissioners of Forfeited Estates, Essex County, Box 5, Folder 2, #95, Department of Defense, Adjutant General’s Office, 1777-1795, New Jersey State Archives (NJSA), Trenton, NJ and Alfred A. Jones, *The Loyalists of New Jersey: Their Memorials, Petitions, Claims, Etc. From English Records* (Boston: Gregg Press, 1972), 200.

<sup>37</sup> New Jersey Supreme Court Case Files, Judgment and Process Book N, #134, May 1776-June 1782, No. 28, Case #34001, NJSA, Trenton, NJ.

<sup>38</sup> Essex County Court of Common Pleas/Court of General Quarter Sessions, Minutes 1710-1907, Book F, January 1772-January 1781, NJSA, Trenton, NJ. and *Minutes of the Council of Safety of the State of New Jersey*, (John H. Lyon, Jersey City, 1872), 164-168.

<sup>39</sup> William Livingston to Susannah French Livingston, February 1, 1782, *The Papers of William Livingston*, Volume 4, July 1780-April 1783 (New Brunswick, NJ: Rutgers University Press, 1987), 379 and Nicholas Murray (1802-1861) Papers, Manuscript Group 384, NJHS, Newark.

Revolutionaries fighting together against what they regarded as Parliamentary oppression.

During the growing debate over American independence Essex voters continued to support politically diverse Revolutionary leaders and elected to the Provincial Congress both staunch opponents of independence as well as fiery Whigs likely to support that goal. Radical republicans in Essex had a voice in “the Poor Man’s Counselor,” Abraham Clark, who served in all four sessions of the Provincial Congress between 1775 and 1776.<sup>40</sup> Several conservative delegates from Essex, however, accompanied Clark. One of Clark’s colleagues was Robert Drummond of Acquackanonk. Drummond served as the captain of an independent militia unit between April 1 and July 24 1776.<sup>41</sup> He was a trusted member of the Provincial Congress who played a role in transporting the Provincial Congress’s treasury and official records from Perth Amboy to Trenton.<sup>42</sup> Drummond, like most delegates to the Provincial Congress in 1776, desired reconciliation with Parliament. His commitment to the British Empire was so great that he refused to vote for New Jersey’s July 2, 1776 constitution establishing an independent state government even though it contained a clause that would nullify the document in the event of reconciliation with Parliament.<sup>43</sup> At the war’s conclusion Drummond confessed to a British confidant that he only served in the Provincial Congress to oppose any “Rebel” measures. The conservative leader, however, retained

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<sup>40</sup> Leonard Lundin, *Cockpit of the Revolution: The War for Independence in New Jersey* (Princeton: Princeton University Press, 1940), 95 and Ruth Bogin, *Abraham Clark and the Quest for Equality in the Revolutionary Era, 1774-1794* (Rutherford: Fairleigh Dickinson University Press, 1982), 10. Bogin described Clark as “a champion of individual liberties, an enemy to any form of privilege, and a protagonist of government concern for the lowlier segments of the people.”

<sup>41</sup> “Drummond, Robert,” Department of Defense, Adjutant General’s Office, (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>42</sup> *Minutes of the Provincial Congress and Council of Safety*, 444.

<sup>43</sup> Jones, *Loyalists of New Jersey*, 64 and Gerlach, *Prologue to Independence*, 345.

the support of Essex voters until July of 1776 when Congress's Declaration of Independence drove him from the Revolution.<sup>44</sup>

Another popular leader of Essex County, Elias Boudinot of Elizabethtown, shared Drummond's opposition to independence. Boudinot served the people of Essex in numerous capacities throughout the imperial crises including service on local committees of correspondence and one term in the Provincial Congress. He fervently opposed Parliament's economic and military policies regarding the colonies and was so committed to the war effort that he secretly sent to the Continental Army outside Boston a supply of gunpowder that had been saved for the use of the Essex militia.<sup>45</sup> Boudinot, however, encouraged all Revolutionaries to act with moderation and restraint. During the public outcry against British soldiers' activities at Lexington and Concord, Boudinot challenged the erection of a liberty pole in the nearby village of Chatham because he believed it and unnecessary political meetings would hurt the "common Cause" and "deter good Men from joining us."<sup>46</sup> He desired moderate imperial reforms from Parliament and regarded independence as a particularly dangerous idea, a position he expressed during an impromptu debate in the spring of 1776 with one of New Jersey's most radical Whigs, the Reverend John Witherspoon. On March 27, 1776, the Somerset County Committee chaired by Witherspoon called representatives of all county committees to attend an April 18 meeting to discuss "some matters of great importance." Boudinot, accompanied by fellow Elizabethtown committeeman William Peartree Smith, expected this meeting to address issues such as increasing domestic industry within New Jersey. He was therefore surprised when Witherspoon used it as an opportunity to deliver a stirring half-hour

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<sup>44</sup> Jones, *Loyalists of New Jersey*, 64-65.

<sup>45</sup> Boyd, *Elias Boudinot*, 26.

<sup>46</sup> Gerlach, *Prologue to Independence*, 258.

speech on the need for American independence. Boudinot refused to let Witherspoon's position go unchallenged and responded with his own speech arguing that independence was "neither founded on Wisdom, Prudence, nor Economy." Despite Witherspoon's passion, his motion supporting New Jersey's independence from Great Britain received the votes of only four of thirty-six committeemen present.<sup>47</sup>

Although the question of independence was the most contentious issue facing Americans, Essex County remained socially and politically unified throughout the first year of the conflict. While conservatives clung to the hope that the British government would abandon its fool-hearty policies concerning America, they also continued to share the more radical revolutionaries' desire for self-taxation and constitutional procedure. The region's only apologist for the British government, the Reverend Thomas Bradbury Chandler, fled long before Essex residents began debating independence, and his departure greatly contributed to the region's stability. In April 1775, the Elizabethtown Committee of Observation saved Chandler from a drunken group of militiamen intent on assaulting his property and the Anglican minister himself in retaliation for recent British aggression in Massachusetts.<sup>48</sup> By the start of May, Chandler concluded he was in "much personal danger" from the Sons of Liberty around Elizabethtown and therefore departed for the safety of New York City taking only "some article of necessary apparel . . . that might serve, in Case I should not be able to return."<sup>49</sup> The outspoken minister soon concluded that the only place he would be safe in was London, and by June 1775

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<sup>47</sup> Ibid., 323.

<sup>48</sup> Ibid., 258.

<sup>49</sup> Frank Gavin, "The Rev. Thomas Bradbury Chandler in the Light of His (Unpublished) Diary, 1775-1785, *Church History*, vol. 1, No 2 (Cambridge University press, 90-106), 94-95.

Chandler left his wife, children, and congregation to tend for themselves and boarded a vessel bound for Great Britain.

The growing debate on American independence threatened the relative social tranquility that followed Chandler's sudden departure from Elizabethtown, but this polarizing topic did not produce violence or significant social tension within Essex communities between January and June 1776. Those who refused to abide by the protocols adopted by the Continental Congress earned the ire of their neighbors, but they were not the victims of mob activity or significant social ostracism. Members of the revolutionary coalition viewed commitment to Congressional policies such as the terms of the Continental Association as an indication of loyalty to the Revolution. In February 1776, the Essex County Committee demanded that all outsiders moving into Essex communities demonstrate that they had signed the Association and "had in all things behaved in a Manner friendly to American Liberty."<sup>50</sup> At the same time, however, Essex residents who had violated the Association still travelled freely throughout their communities and felt comfortable frequenting the same businesses and taverns as supporters of independence. For example, one of the least popular residents of Essex at the start of the Revolution was Cavalier Jouett who was arguably the wealthiest man in all of Elizabethtown. The descendent of French Huguenots, his family's history of religious oppression within France prompted Jouett to be staunchly loyal to the British government. When pressured by a crowd of Essex protesters to sign the Association in 1774, Jouett's Tory mentality led him to express his distrust of the document by first signing his name and then boldly crossing it out before a crowd of observers.<sup>51</sup> Such

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<sup>50</sup> *New York Gazette and Weekly Mercury*, February 12, 1776.

<sup>51</sup> Jones, *Loyalists of New Jersey*, 108.

behavior undoubtedly angered many Essex residents, but Jouett nonetheless was a welcome patron at Elizabethtown's Sign of the Unicorn Tavern between 1774 and early 1776. Taverns were highly political establishments of the Revolutionary era; men of all social classes gathered in taverns to eat, drink, and discuss pressing topics like American independence without the formal confines of town meetings or assemblies.<sup>52</sup> The contentious nature of American independence likely sparked considerable debates between Essex residents at the tavern, but before July 1776 it did not become a place of violence or intimidation. Jouett frequented the Sign of Unicorn at a time when it attracted a growing number of Continental Army and militia officers as clients, but these patrons gathered without incident before Congress declared independence.<sup>53</sup>

Several other unpopular and dubious Essex residents also took advantage of the accommodations at the Sign of the Unicorn Tavern in early 1776 despite the escalating public debate on independence. Elizabethtown resident Ichabod Best Barnet was one of the most frequent patrons of the tavern in 1775 and visited several times between January and June 1776. Barnett's commitment to America's crusade against Parliament had been called into question in March 1775 when the local committee of observation learned that smugglers had conveyed British goods into a local warehouse in violation of the Association with Barnet as the intended recipient. The committee granted Barnett leniency and pardoned him on the grounds that he never again violate the Association.<sup>54</sup>

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<sup>52</sup> David W. Conroy, *In Public Houses: Drink and the Revolution of Authority Within Colonial Massachusetts* (Chapel Hill: University of North Carolina Press, 1995), 240-299.

<sup>53</sup> "Sign of the Unicorn Tavern (Graham's Tavern), Elizabeth, NJ Records, 1765-1794," Manuscript Group 107, NJHS, Newark. The account book is in very poor condition with a great deal of damage to the page containing Jouett's account information. It is clear that he went to the tavern many times in 1774, but the exact dates of his 1776 visit are difficult to ascertain with great certainty. Prominent military or political leaders who frequented the tavern in early 1776 were General William "Lord Stirling" Alexander, Colonel Elias Dayton, and William Livingston Jr.

<sup>54</sup> Thayer, *As We Were*, 107.

The people of Essex would not easily forget such behavior in the wake of the Intolerable Acts, but Barnet was not the target of violence or intimidation and remained a patron of the tavern through May 1776.<sup>55</sup>

The political climate in Essex was so tolerant in the first half of 1776 that even soldiers of the British army felt comfortable at the Sign of the Unicorn. William MacLeod was resident of Elizabethtown who held an active commission as an officer in the 52<sup>nd</sup> Regiment of the British Army when the Revolution began in April 1775. He had purchased land in Elizabethtown following the French and Indian War. When the British army was under siege in Boston, however, he attempted to travel to Massachusetts and rejoin his regiment. Revolutionary forces apprehended MacLeod trying to secure passage to Boston and placed him on parole in his hometown.<sup>56</sup> As a British soldier, MacLeod symbolized everything that the Revolutionary coalition vehemently opposed in 1775 and 1776, namely Parliament's claim to absolute sovereignty within the colonies and its willingness to use professional soldiers to enforce this authority. Nonetheless, MacLeod had complete freedom to move about Elizabethtown and continued to frequent the local tavern despite the growing number of individuals supporting independence from Great Britain.<sup>57</sup>

The political and social unity present within Essex communities throughout the first year of the Revolution began to crumble in May and June of 1776. During these months the Continental Congress and New Jersey Provincial Congress both implemented

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<sup>55</sup> Sign of the Unicorn Tavern, Manuscript Group 107, NJHS, Newark.

<sup>56</sup> Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution, with an Historical Essay*, Volume 2 (Baltimore: Genealogical Publishing Company, 1979), 70.

<sup>57</sup> Sign of the Unicorn Tavern, Manuscript Group 107, NJHS, Newark. Between 1771 and 1775 MacLeod was such a frequent customer at the tavern that its owners allowed him to amass an unpaid £20 balance on his account on the eve of the Revolution.

measures that would ultimately result in the colony's independence. For several months the mid-Atlantic colonies of New Jersey and Pennsylvania had prevented open debate on the subject of independence within the Continental Congress since their delegates were either personally opposed to that idea or expressly forbidden to discuss it by their constituents. On May 10, 1776, however, Congress passed a resolution that forced New Jersey's voters to address the issue of independence. The resolution recommended that all Provincial Congresses or assemblies throughout the American colonies establish new governments that "would best conduce to the happiness and safety of their constituents in particular and American in general."<sup>58</sup> The delegates believed that temporary governments like the Provincial Congress of New Jersey were created out of military and political expediency in May 1775 and were not ideally suited for the multitude of tasks they needed to handle during the conflict. In essence this resolution asked the New Jersey voters to replace their current and complicated political system consisting of both a powerless but Parliamentary-sanctioned colonial government and a powerful but extra-legal Provincial Congress with a single government under a new constitution. The creation of new, constitutional government within the colony without any input or sanction from Parliament would symbolically end British authority within New Jersey. This May 10, 1776 resolution, therefore, asked the people of New Jersey to end their long-standing political relationship with Great Britain several weeks before Richard Henry Lee famously called for American independence on June 7, 1776.

New Jersey's Provincial Congress called for new elections to determine whom the voters trusted to handle the significant tasks of establishing a new government for New Jersey as well as responding to Lee's call for American independence. The June 1776

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<sup>58</sup> Maier, *American Scripture*, 37.

Provincial Congress elections would not only determine the composition of that governing body but also served as a popular referendum on the issue of New Jersey's independence. Although voters throughout the colony widely embraced new leadership from men who supported independence, Essex voters made very little change to their delegation. Nearly half of sixty-five men elected to the Congress in June 1776 had never served in that body before, and the majority of these newcomers supported Lee's call for American independence.<sup>59</sup> Essex, however, returned the same politically diverse delegation they had elected in March with only one new delegate. Still, the nature of the American Revolution in Essex was transformed as a result of this election. The new Provincial Congress quickly put New Jersey on the path towards independence. It appointed new representatives to the Continental Congress in Philadelphia, including Abraham Clark of Elizabethtown, who voted in favor of Lee's independence resolution. Its members also created a new constitution that ended any symbolic authority Great Britain still had in New Jersey. On July 2, 1776, both New Jersey's delegates to the Continental Congress as well the representatives in its Provincial Congress signed documents that transformed New Jersey from a colony of Great Britain into an independent state.

The vast majority of New Jersey residents responded to the news of American independence with joyous celebrations. On July 8, members of New Jersey's Provincial Congress read the Declaration of Independence and the state's new constitution aloud to a "large concourse of inhabitants" who responded to both documents with "loud

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<sup>59</sup> Gerlach, *Prologue to Independence*, 331.

acclamations.”<sup>60</sup> Two days later, a “triple volley of musketry, and universal acclamation for the prosperity of the UNITED STATES” accompanied the announcement of American independence at the College of New Jersey.<sup>61</sup> Many residents of Cumberland County gathered in early August to celebrate American independence and demonstrate their fervent opposition to any remnants of British authority within the state. On August 7, a “great number” of residents joined Cumberland’s political leaders and militia officers in unanimously approving of the Declaration and state constitution while also publicly burning all peace officers’ staffs because they bore the royal coat of arms on them.<sup>62</sup> Elizabethtown’s Presbyterian minister, James Caldwell, remarked to General Elias Dayton that news of the declaration put the people of Essex County in “high spirits.”<sup>63</sup>

As this wave of public enthusiasm for independence washed over New Jersey, individuals who had opposed this radical step faced a difficult decision. Congress’s declaration and the new state constitution marked a turning point for the Revolution in New Jersey that required Essex residents to choose between their ancient identity as British subjects and the promise of a new and uncertain political future. Robert Drummond and Elias Boudinot, Essex County’s two most prominent opponents of independence, responded to the swift turn of events in remarkably different manners. Drummond had served the people of Essex as both a delegate to the Provincial Congress since June 1775 and as a militia captain since April 1776, but he refused to provide such service on behalf of an independent New Jersey and resigned his commission by July.

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<sup>60</sup> *The Pennsylvania Packet*, July 15, 1776 in *New Jersey in the Revolution 1763-1783, A Documentary History*, 219-220.

<sup>61</sup> *Ibid.*

<sup>62</sup> *Pennsylvania Journal and Weekly Advertiser*, August 28, 1776 in *Archives of the State of New Jersey (ASNJ)*, Second Series, Volume 1, *Extracts from American Newspapers, 1776-1777*, William S. Stryker, ed. (Trenton: New Jersey Historical Society, 1901), 172-173.

<sup>63</sup> James Caldwell to Elias Dayton, July 1776 in Gerlach, *Prologue to Independence*, 349.

Several months later he accepted a commission to serve as a major in the New Jersey Volunteers, a Provisional Corps of the king's army comprised entirely of Loyalists, and he fought on behalf of the British government for the next seven years.<sup>64</sup> Boudinot, on the other hand, came to terms with independence and abandoned his hopes for a compromise with Parliament. As late as June 11, 1776 Boudinot wrote that as "soon as we Declare for Independency, every prospect of Peace must Vanish, Ruthless War, with all it's aggravated horrors, will Ravage our Once happy Land . . . Torrints of Blood be Spilt, thousands reduc'd to beggary & wretchedness." He argued that "Limited Monarchy is the form of Government which is most favourable to Liberty," but in the end he regarded American independence as preferable to yielding to Parliament's demand for complete control over colonial affairs. Unlike Drummond, he continued to serve the people of New Jersey throughout the summer of 1776. He worked as an aide de camp to General William Livingston of the New Jersey militia and prepared the state's defenses for a potential British invasion. Boudinot would later serve as both the Continental Army's Commissary of Prisoners as well as a delegate to the Continental Congress.<sup>65</sup>

The men and women who accepted independence chose not only to sever their relationship with the British government but also their relationships with those who abandoned the Revolution and became Loyalists. While New Jersey's patriots welcomed the news from Philadelphia and Trenton in July 1776, many soon realized their political decision would damage friendships and alienate family members who disagreed on the question of independence. For example, David Ogden was one of the wealthiest

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<sup>64</sup> "Drummond, Robert," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>65</sup> Boyd, *Elias Boudinot*, 29 and "Elias Boudinot," Biographical Dictionary, *The Papers of William Livingston*, Volume 1, 384.

landowners in Newark and a prominent member of Britain's colonial government in New Jersey. He served as an Associate Justice the New Jersey's Colonial Supreme Court in 1772 and as a member of Governor Franklin's Council between 1774-1775. Ogden was a staunch opponent of American independence who abandoned his life in New Jersey in January 1777 to seek protection behind British lines.<sup>66</sup> He had five sons living in Essex at the start of the Revolution, but only Nicholas, Isaac, and Peter shared their father's commitment to the British Empire and joined him as Loyalists. Samuel and Abraham Ogden both swore allegiance to the independent government of New Jersey and remained in Newark throughout the war. Political squabbles amongst family members were common occurrences throughout colonial America, but the debate over independence was especially volatile that caused strained family bonds to dissolve during the Revolution. Abraham and Isaac Ogden stopped speaking to one another in 1776 as a result of Abraham's support for the new state government, and reconciliation seemed impossible.<sup>67</sup> Abraham Ogden's commitment to independence also took a heavy toll on his father. David Ogden fled to Great Britain by the end of the war, and he lived the rest of his life knowing that his son Abraham risked his life serving as a Continental Army officer defending a New Jersey government that stripped him of all his wealth.<sup>68</sup> In 1775 all members of the Ogden family resided in Newark, but by 1783 the family was both

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<sup>66</sup> Jones, *The Loyalists of New Jersey*, 155.

<sup>67</sup> *Ibid.*, 163. Abraham Ogden's Whig principles divided the family and led to several arguments and periods of estrangement in 1776.

<sup>68</sup> "Ogden, Abraham," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton. Ogden served as a Lieutenant Colonel of Light Infantry 1776 under Colonel Matthias Williamson and later served as a Major under Colonel Jonathan Dayton of the Continental Army.

politically and geographically separated as Nicholas, Isaac, and Peter had either joined their father in Great Britain or emigrated to Canada.<sup>69</sup>

New Jersey's leaders contributed to the political and social rifts within Essex County by encouraging citizens to apprehend suspected Loyalists so they could not hinder America's war effort. On July 18, New Jersey's Provincial Congress issued a proclamation stating that all individuals who maintained their allegiance to King George III were regarded as "enemies of this state," and it urged local committees to apprehend and examine those suspected of being Loyalists.<sup>70</sup> Similarly, General George Washington ordered New Jersey's militia to assist in the apprehension of these internal enemies. On July 6, Washington instructed General William Livingston of the New Jersey militia to "remove all Persons of known Enmity or doubtful character" from "Places where they might enter into a correspondence with the enemy & aid them in their Schemes." He encouraged Livingston's men to "shew them al possible Humanity & Kindness consistent with our own Safety – but Matters are now too far advanced to sacrifice any Thing to Punctilio."<sup>71</sup>

Essex patriots eagerly responded to such calls for action, and the previous atmosphere of accommodation quickly evolved into one of social and legal intimidation. One of the first victims of the population's crusade against proponents of reconciliation was Edward Vaughan Dongan, a young, successful lawyer residing in the town of

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<sup>69</sup> Jones, *The Loyalists of New Jersey*, 155-160, 161-165 and Joseph Atkinson, *The History of Newark: being a narrative of its rise and Progress, From its Settlement in May, 1666 to the present time, including a sketch of the press in Newark, 1791-1878* (Newark, W.B. Guild, 1878), 123-126. The Loyalist Ogdens all traveled to London and successfully petitioned Parliament, but only David and Peter returned to the New Jersey in 1790. Isaac emigrated to Montreal and Nicholas to Nova Scotia. Nicholas failed in his attempt to reclaim his father's seized property in Newark but died there and is buried at Trinity Church. It is unclear if they reconciled with Samuel or Abraham after the war.

<sup>70</sup> *New York Gazette and Weekly Mercury*, July 29, 1776.

<sup>71</sup> George Washington to William Livingston, July 6, 1776, *Papers of William Livingston*, Volume 1, 75.

Rahway near the county's southern border. A group of armed men forcibly entered Dongan's home in the middle of the night and carried him from his bed to a location six miles away where he could do no harm if the British attacked the Essex coast. The following day, General Livingston ordered that Dongan be relocated to the plantation owned by his Loyalist father-in-law, Bernardus LaGrange, which was located even further from the New Jersey coast.<sup>72</sup> The most prominent victim of this initial enthusiastic campaign against proponents of reconciliation, however, was Cavalier Jouett of Elizabethtown. General Livingston was also a resident of Elizabethtown and was well familiar with the Jouett's history of challenging Revolutionary leaders and their policies. Livingston ordered his men to apprehend Jouett because of his "general Reputation [as] a malignant Tory & having taken great Pains to prejudice people under his Influence against the american Cause."<sup>73</sup> Following his capture, Livingston ordered Jouett to appear before the Provincial Congress for examination. The general warned Jouett's interrogators they should expect him to recount "a tedious History of his own patriotic Merit" which Livingston thought was as sincere "as the Devil's quoting Scripture."<sup>74</sup> By the end of July the state government placed Jouett on parole in Somerset County and limited his freedom of movement to a four-mile radius surrounding his new residence at a local innkeeper's home.<sup>75</sup>

Essex County's leaders were eager to remove Loyalists like Dongan and Jouett from the region in the summer of 1776 to prevent them from spreading malice and

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<sup>72</sup> Jones, *The Loyalists of New Jersey*, 59-60.

<sup>73</sup> William Livingston to Samuel Tucker, July 29, 1776, *Papers of William Livingston*, Volume 1, 110.

<sup>74</sup> *Ibid.*

<sup>75</sup> *Minutes of the Provincial Congress and Council of Safety of the State of New Jersey*, 526. Jouett did not remain there throughout the war and managed to reach British lines in 1777.

discord among the population, but they also regarded these measures a military necessity. Although the New Jersey population received news concerning their independence from Great Britain with widespread enthusiasm in July 1776, their celebrations were significantly dampened by reports concerning the recent appearance of a massive British fleet off the state's shores. State residents and military personnel first spotted the fleet on June 29, 1776. Private Daniel McCurtin of the Continental Army remarked, "I could not believe my eyes. Keeping my eyes fixed at the very spot, judge you of my surprise when in about ten minutes, the whole Bay was full of shipping as ever it could be. I declare I thought all London was afloat."<sup>76</sup> Over the next two days ships of the line, transports, and additional vessels arrived and dropped anchor inside Sandy Hook. The *New-York Journal* compared this fleet to an apocalyptic "swarm of Locusts, escaped from a bottomless pit."<sup>77</sup>

On July 1, 1776, the commander of this immense British military force, General William Howe, ordered the transports to land his troops on the east coast of Staten Island. The relatively small force of Continental soldiers stationed on Staten Island quickly retreated into New Jersey, and Howe's soldiers swarmed its shores and were greeted as liberators by the island's predominantly Loyalist population. While the Continental Congress proclaimed America's independence on July 4, the last of Howe's nine thousand troops landed on the island leaving Washington and Congress to guess at what their next target would be.<sup>78</sup> In the following weeks, hundreds of British vessels continued to arrive in New York's lower harbor bringing thousands of additional British

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<sup>76</sup> David Hackett Fischer, *Washington's Crossing* (Oxford: Oxford University Press, 2004), 31-32.

<sup>77</sup> Papas, *That Ever Loyal Island: Staten Island and the American Revolution* (New York: The New York University Press, 2007), 64.

<sup>78</sup> *Ibid.*, 65-67.

and Hessian forces to join Howe's army on Staten Island. By the middle of August, Continental Army officers estimated that Howe would eventually have as many as 20,000 soldiers under his command on Staten Island, but in truth Howe's army was significantly larger.<sup>79</sup> Historian George Papas concludes that Howe amassed a force of 450 warships and transports near New York as well as 32,000 British and Hessian soldiers, sailors, marines, and Loyalist militiamen on Staten Island, the largest British expeditionary force ever assembled until June 1944.<sup>80</sup>

A wave of panic swept through the people of Essex following the British army's unprecedented military build up so close to their communities. All that separated Staten Island from their coast was the Arthur Kill, a very narrow waterway that in some places was only five hundred feet wide.<sup>81</sup> Howe's troops landed on the east coast of Staten Island, but within days many had marched to the island's western shores where Essex residents could see British soldiers for the first time since the conflict began. The *Pennsylvania Evening Post* noted on July 9, 1776 that the British army's "near approach to Elizabeth-Town point greatly alarmed the inhabitants of Essex county, particularly the people of Elizabeth-Town and Newark."<sup>82</sup> Like Washington, Essex residents could only guess what Howe intended to do with his massive force, and they feared what these soldiers would do if they crossed the Arthur Kill and invaded their communities. General Livingston assembled several hundred militiamen at Elizabethtown after the first sighting of British soldiers, and he recalled "when I left E Town our people were in such

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<sup>79</sup> *Pennsylvania Journal and Weekly Advertiser*, August 14, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 167.

<sup>80</sup> Papas, *That Ever Loyal Island*, 77.

<sup>81</sup> *Ibid.*, 11.

<sup>82</sup> *Pennsylvania Evening Post*, July 9, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 138. The author, however, observes that this panic subsided and boldly argues its population was "now in a condition to receive them whenever they may think proper to approach."

Confusion that I left the Town with Reluctance.” Dispatches from Continental officers in New York led him “to believe that the Enemy’s Landing on Staten Island is a much more serious affair than I first imagined.”<sup>83</sup> Abraham Clark expressed his concern for his hometown more directly. In a letter to Elias Dayton, a fellow Elizabethtown resident and colonel in the Continental Army, Clark expressed his fear that “Eliza. Town, long obnoxious to the Enemy, would be laid to Ashes” if Howe chose to invade.<sup>84</sup>

The British threat to Essex residents in the summer of 1776 stemmed not only from the magnitude of the army amassed on Staten Island but also from the relative weakness of the American forces within the region. Continental troops had been a fixture in Essex throughout the first half of 1776, but they were removed from the region several weeks before the arrival of Howe’s fleet. New Jersey’s Provincial Congress established these forces in October 1775, and they saw their first action in December when they suppressed a Tory uprising in Queen County, New York. Following this engagement New Jersey’s two Continental battalions returned to Perth Amboy and Elizabethtown where they were soon joined by a third battalion established by the Provincial Congress in January 1776.<sup>85</sup> These forces could have offered significant resistance to any expedition by Howe’s army into Essex, but they were ordered to march north in May 1776 to reinforce the Continental Army’s position at Fort Ticonderoga and participate in the campaigns against British forces in Canada.<sup>86</sup> The New Jersey Continental Line’s activity in upstate New York prevented its soldiers from playing any role in defending

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<sup>83</sup> William Livingston to Joseph Reed, July 3, 1776, *The Papers of William Livingston*, Volume 1, 60-61,

<sup>84</sup> *Papers of William Livingston*, Volume 1, editor’s note, 63.

<sup>85</sup> William S. Stryker, *Official Register of the Officers and Men of New Jersey in the Revolutionary War: Compiled Under Orders of His Excellency Theodore F. Randolph, Governor* (Trenton: WM. T. Nicholson & Co., 1872), 9-12.

<sup>86</sup> Mark Edward Lender, “The Enlisted Line: The Continental Soldiers of New Jersey” (Ph.D. diss., Rutgers University, 1975), 69.

their state against the looming threat of British invasion. Colonel Francis Barber conveyed the anxiety of many New Jersey soldiers when he assured Elias Dayton that he and his men would do their duty in New York but “our hearts are in New Jersey.”<sup>87</sup>

Although many of Essex County’s most fervent revolutionaries and talented military officers were unable to defend their communities because of their obligations to the Continental Army, a large number of the Essex militia was similarly unavailable for service in the region throughout the summer. George Washington knew that the British forces that evacuated Boston in March 1776 would quickly reorganize and re-deploy to other strategic locations within the rebellious colonies. Washington correctly deduced that New York City was their most likely target: it was America’s second largest city; it had an excellent harbor, and it had a history as a British military base. Most importantly, its location at the mouth of the Hudson River gave the British an opportunity to control that waterway and isolate New England’s population from its wartime allies.<sup>88</sup>

Washington began planning for the defense of New York before British forces completed their evacuation from Boston, but in order to defend the city he needed a large number of New Jersey militiamen to help his soldiers erect and man defensive positions around New York. On July 14, 1776 New Jersey’s Provincial Congress ordered 3,300 militiamen, including three companies from Essex, to report to New York City where they were required to serve under Washington’s command until December 1, 1776 unless discharged earlier by the Continental Congress.<sup>89</sup> Although New Jersey’s government fell significantly short of its goal and raised less than 2,000 men for Washington, those

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<sup>87</sup> Ibid.

<sup>88</sup> Arthur S. Lefkowitz, *The Long Retreat: The Calamitous American Defense of New Jersey, 1776* (New Brunswick, NJ: Rutgers University Press, 1998), 2.

<sup>89</sup> *Minutes of the Provincial Congress and Council of Safety*, 548-549.

who did report were obligated to defend his position in New York City while their hometowns remained relatively defenseless.<sup>90</sup>

Many New Jersey militiamen were unhappy with this situation and petitioned their political leaders and General Livingston to return to their home state. The same day that Howe completed his invasion of Staten Island, Jonathan Deare, commander of the Middlesex militia in New York, suggested that additional Continental forces replace his force near New York City in order to allow his men to return to New Jersey. He begged Livingston, “the Officers as well as Men have family & Effects to take Care of . . . they are very Desirous to be Nearer there familys.” He asked Livingston “to send a line to General Washington to permit them to return to Eliz: Town or some other part of New Jersey—nearer their familys.”<sup>91</sup> As commander of New Jersey’s militia, Livingston could not yield to such requests, but he clearly shared these soldiers’ concerns over New Jersey’s lack of defenses, particularly the exposed coastline of Essex County.<sup>92</sup> He lamented to General Hugh Mercer that the people of Elizabethtown were “greatly dispirited at so great a Part of the force of this Province being drawn off to New York (important as they deem that object to the Enemy) while they are absolutely at their Mercy.” Livingston suggested replacing the New Jersey militia in New York with militia units from Connecticut or Continental soldiers. He argued “it really seems necessary in

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<sup>90</sup> Lender, “The Enlisted Line,” 29.

<sup>91</sup> Jonathan Deare to William Livingston, July 4, 1776, *The Papers of William Livingston*, Volume 1, 64.

<sup>92</sup> Livingston to Jacob Drake Jr., July 12, 1776, *The Papers of William Livingston*, Volume 1, 96. Livingston informed Jacob Drake Jr. of the Morris County militia that his soldiers were the last to arrive in New York but were the “most clamorous” about returning to New Jersey. He suggested if they were that serious about returning home they simply mutiny and walk off but accept the consequences of that decision.

my poor judgment, to return part of them to defend the Borders of this Province, between New Ark and Amboy, from [British] depredations.”<sup>93</sup>

General Howe waited several weeks before launching his August 22, 1776 assault against the Continental Army’s position on Long Island, but for the residents of Essex the intervening period was hardly a peaceful calm before the storm. In addition to the fear Howe’s army instilled in the region’s inhabitants, British forces introduced the Essex population and the few Continental forces within the region to the destructive power at their disposal. The Arthur Kill offered minimal protection against British artillery, and enemy cannons on Staten Island repeatedly bombarded New Jersey’s coastal communities. In late July, Continental batteries at Perth Amboy opened fire on several British vessels near Staten Island. British artillery returned fire, and both encampments engaged in an hour-long artillery battle. Patriot newspaper accounts portrayed this incident as an American victory since “many of the Regulars [British] were seen to fall, and several carried off, supposed to be wounded,” but they also acknowledged that British cannons inflicted damage to both American soldiers as well as civilian property. One account stated that a soldier from Philadelphia died and another was wounded, but in addition “a Horse in a Carriage had his Head shot off in the Street, and some Damage was done to the Houses.”<sup>94</sup> British forces targeted Elizabethtown for artillery bombardment again on August 25, 1776, but fortunately for its residents this assault inflicted minimal damage and accomplished nothing beyond disturbing congregations

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<sup>93</sup> William Livingston to Hugh Mercer, July 3, 1776, *The Papers of William Livingston*, Volume 1, 62-63.

<sup>94</sup> *New York Gazette and Weekly Mercury*, July 29, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 154.

during their afternoon services.<sup>95</sup> The soldiers stationed at Elizabethtown, however, were not so fortunate during their July 24 engagement with the nearby British forces. Several riflemen daringly crossed the Arthur Kill to harass British soldiers as they built breastwork on a bridge near the coast. Although most attempts by British sentries to cut down these American soldiers failed, one soldier got too close to the enemy forces and was shot through the head.<sup>96</sup> British officers allowed his comrades to carry his body back to their New Jersey camp, but the story of his death served as a prominent reminder to the Essex population that they might pay a significant price for their independence.

The arrival of Howe's massive military force on Staten Island loomed heavily over New Jersey residents' celebration of independence and injected doubt and anxiety into the previously jubilant atmosphere. Proponents of independence argued throughout 1776 that only a complete break with the British government could ensure the liberties of all Americans. As the size and destructive capacity of its invasion force grew during the summer, however, Essex residents more readily understood the consequences of independence. Throughout the summer New Jersey Loyalists became increasingly bold in their challenge to the state's new government, and even prominent Whigs such as Abraham Clark displayed less confidence and righteousness in their writings. On July 4, Clark celebrated both his work and that of the Continental Congress boasting "Our Congress is an August Assembly, and can they Support the Declaration now on the Anvil, they will be the great Assembly on Earth."<sup>97</sup> Howe's invasion of Staten Island, however, caused Clark's confidence to wane considerably, and one month after the

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<sup>95</sup> *Pennsylvania Journal and Weekly Advertiser*, August 26, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 177.

<sup>96</sup> *The Pennsylvania Gazette*, July 31, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 154-155.

<sup>97</sup> Gerlach, *Prologue to Independence*, 350.

arrival of the British fleet he began expressing doubt concerning America's war effort and ultimate fate. He worried on August 6, "As to my title – I know not yet whether it will be honourable or dishonourable, the issue of the War must settle it . . . I feel the danger we are in, I am far from exulting in our imaginary happiness—Nothing short of the Almighty Power of God can Save us – it is not in our Numbers, our Union, or our valour that I dare trust."<sup>98</sup> Clark was not the only Essex resident whose confidence had been shaken by the arrival of British forces. In an August 1776 letter to Elias Dayton he described the resurgence of reconciliation with Parliament as a topic of political debates. He complained, "I sat down to consider to whom I might venture to write on politicks, and have none that I dare speak plainly to . . . I have none like-minded. I have friends, it is true, but none there now that I dare speak with freedom to."<sup>99</sup> Essex residents feared that their close proximity to Howe's army greatly increased the probability of a British assault on their communities, and a growing sense of dread brought an end to their celebration of independence and persecution of Loyalists.

The sense of political and military uncertainty expressed in Clark's writings spread throughout Essex in the fall of 1776 in response to both the arrival of Howe's forces as well as their decisive victories over the Continental forces around New York City. General Howe's three-month conquest of New York City demonstrated that Washington's soldiers lacked the discipline, resources, and leadership necessary to do battle with professional British troops, and the British victories led many to fear that their new republic would collapse. Howe committed approximately 24,000 soldiers, or 90% of his entire army, to his invasion of Long Island. On August 27, 1776 these troops

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<sup>98</sup> Gerlach, *Prologue to Independence*, 350-352.

<sup>99</sup> Abraham Clark to Elias Dayton, August 6, 1776 in Hatfield, *History of Elizabeth*, 440.

effectively routed the island's Continental defenders who were lucky to escape across the East River with their lives.<sup>100</sup> Moreover, the Battle of Long Island and subsequent conflicts on Manhattan demonstrated the significant shortcomings of the Continental troops. They cowered before organized bayonet attacks, and hundreds of soldiers dropped their weapons and abandoned their position at Kip's Bay in mid-Manhattan when they faced a British naval bombardment. Washington was so disgusted by the lack of discipline in his army that he exposed himself to enemy fire and struck several officers during their unauthorized retreat. One officer recounted that Washington's lieutenants had to plead with him to seek cover as he repeatedly threw his hat to the ground exclaiming, "Good God, have I got such troops as those!"<sup>101</sup> General Howe completed his rout of Washington's forces in Manhattan on November 15 when his soldiers captured or killed all 2,800 within Fort Washington on the banks of the Hudson. Washington and the rest of his army narrowly escaped Manhattan, but they were in no position to repel a British invasion of New Jersey.

The Continental Army's disastrous performance at New York City was both a symbolic and strategic defeat to the new republic that greatly diminished Essex residents' public support for the war effort. Washington's retreat challenged the public's faith in the alleged superiority of citizen-soldiers fighting to defend their rights over the wickedness and unreliability of professional soldiers fighting only for wages.<sup>102</sup> More importantly, however, it transformed the threat of a British invasion of Essex from an abstract possibility to a guaranteed reality. Before Washington departed for Fort Lee, the Continental Army's stronghold in New Jersey on the western bank of the Hudson River,

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<sup>100</sup> Fischer, *Washington's Crossing*, 89-99.

<sup>101</sup> *Ibid.*, 102-107.

<sup>102</sup> Royster, *A Revolutionary People at War*, 37-47.

intelligence reports had already informed him that Howe planned to press his advantage and launch an expedition into New Jersey.

On November 7, Washington warned the state's governor-elect, William Livingston, that a British invasion of New Jersey was probable. He recommended that Livingston immediately call out the state's militia, make necessary repairs to the military barracks in New Brunswick, Perth Amboy, and Elizabethtown, and do whatever was necessary to ensure that valuable resources did not fall into enemy hands.<sup>103</sup> Political leaders within Essex quickly learned of Washington's dire predictions and alerted residents of the imminent danger. William Burnet notified the public that the general advised

all those who live near the water to be ready to move their stock, grain, carriages and other effects back into the country – He adds, if it is not done the calamities we must suffer will be beyond all description, and the advantages the enemy will receive immensely great . . . the article of forage is of great importance to them; not a blade, he says should be left; what cannot with convenience be moved should be consumed with the least hesitation.<sup>104</sup>

The dire nature of Washington's recommendations illustrated the significant transformation of Essex County's military situation between August and November 1776. Whereas Essex residents had previously faced sporadic artillery bombardment and the possibility of invasion by Howe's forces, by the middle of November they were certain that several thousand British soldiers would soon enter their communities.

During this military crisis, patriots throughout New Jersey sought to bolster the sagging spirits of the coastal townspeople who would be the first to face Howe's invasion. Political leaders and passionate citizens had pleaded with New Jersey residents

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<sup>103</sup> Lefkowitz, *The Long Retreat*, 22.

<sup>104</sup> *The Pennsylvania Packet*, November 19, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 230-231.

to maintain their confidence in and enthusiasm for independence since the first British troops set foot on Staten Island, and their rhetoric escalated throughout the fall of 1776. On August 10, *The Pennsylvania Evening Post* published a story about an elderly Elizabethtown woman and her four sons (or grandsons). The woman told her children as they prepared for battle that they were “going out in a just cause, to fight for the rights and liberties of your country . . . [but] let me beg of you, my children, that if you fall, it may be like men; and that your wounds may not be in your back parts.”<sup>105</sup> In November, a Newark resident made a similar call to arms and wrote in another newspaper that the Continental Army’s failures in New York should not instill a sense of fear but rather “rouse the virtue of America; if she does not exert herself now, she deserves not the independence she has declared.”<sup>106</sup> Governor Livingston called upon the men of Essex to save both the revolutionary generation as well as future generations “from the most ignominious slavery” offered under British rule. He was not ignorant of the significant threat Howe’s army presented, but he saw this threat as “an opportunity to evince to the world” of the true depths of the people’s commitment to the liberty offered within an independence republic. The governor believed firm resolve against Howe’s invasion would illustrate that the people’s commitment to freedom and independence “were not the inconsiderate effusions of the boasting bravo, but the cool declarations of the determined hero, now glorying in being called out to manifest his valour.”<sup>107</sup>

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<sup>105</sup> *The Pennsylvania Evening Post*, August 10, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 160-161.

<sup>106</sup> *The Pennsylvania Journal and Weekly Advertiser*, November 27, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 237.

<sup>107</sup> William Livingston to the Colonels of the New Jersey militia, *The Pennsylvania Evening Post*, November 28, 1776 in *Archives of the State of New Jersey, Second Series*, Vol. 1, *Extracts from American Newspapers*, 1776-1777, 160-161.

The British invasion of New Jersey began on November 18, 1776 when General Charles Cornwallis ordered his troops to cross the Hudson River and assault the Continental Army's position at Fort Lee. Washington's forces had abandoned the fort before the British army reached it, and on November 22 his Continental soldiers retreated into the Essex County's northernmost town of Acquackanonk. Washington's army remained in Essex for one week, and during this period those residents who had not fled to the state's interior saw first-hand the weakness of these soldiers on whom Americans' hopes for independence rested.<sup>108</sup> According to one eyewitness observing these troops before they entered Acquackanonk, the soldiers "marched two abreast, looked ragged, some without a shoe to their feet and most of them wrapped in their blankets."<sup>109</sup> The hasty nature of soldiers' retreat from Fort Lee contributed greatly to their wretched condition because they had abandoned their tents along with most of the fort's artillery and other provisions. As a result, while Washington's soldiers remained in Essex (primarily at Newark) they had to improvise shelter from the cold and wet November climate and slept on the freezing ground. George Ross, a member of the Continental Congress dispatched to Essex to meet with Washington, reached Elizabethtown just before the army resumed its flight across the state. He observed "the distress of our Soldiers who I have met almost naked and hardly able to walk or rather wade through the mud has given infinite pain but I shudder to tell you that they fall dead on the road with their packs on their back or are found accidentally perishing in hay lofts."<sup>110</sup> As historian Arthur S. Lefkowitz notes, the Continental soldiers in Essex more closely resembled "a

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<sup>108</sup> For an overview of the Continental Army's activity within Essex between November 22 and November 30, 1776 see Lefkowitz, *The Long Retreat*, 55-84.

<sup>109</sup> Lefkowitz, *The Long Retreat*, 54.

<sup>110</sup> George Ross to James Wilson, November 26, 1776 in Phil Webster, *1776 Faith: The Christian Worldview of the Signers of the Declaration of Independence* (Xulon Press, United States, 2009), 76.

legion of beggars” than the confident and powerful military force needed to defend its residents from British aggression.<sup>111</sup>

Washington recognized the dire condition of his army and desperately sought military assistance from anyone capable of offering it. He had entered New Jersey with only small number of the soldiers who had been under his command around New York City because he had sent the majority of his forces to defend the Hudson River and the New England states from possible British conquest. Washington personally led a force of approximately 5,000 troops into the state, but the general quickly learned that the large number of reinforcements he had anticipated were not available. He believed the Continental garrison at Fort Mifflin would eventually join him in New Jersey, but the loss of those 2,800 soldiers significantly reduced his army’s military capacity. He anticipated reinforcements from the Continental Army’s Flying Camp in New Jersey, but to Washington’s dismay he soon learned after arriving at Fort Mifflin that these soldiers were less numerous and less disciplined than he had been led to believe. His army was further weakened by the departure of soldiers whose one-year enlistments came to an end and many others who decided to desert and return to their homes. Washington entered Newark with approximately 5,000 soldiers, but Lieutenant James Monroe counted only 3,000 soldiers when the army resumed its retreat and departed for New Brunswick on November 28.<sup>112</sup> Washington was so desperate for reinforcements that he remained in Newark for five days exposing his forces to possible attack from Cornwallis’s army in order to give the 7,000 Continental soldiers under near the Connecticut border under the command of General Charles Lee sufficient time to join his army. Lee, however, did not

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<sup>111</sup> Lefkowitz, *The Long Retreat*, 70.

<sup>112</sup> *Ibid.*, 54 and Fischer, *Washington’s Crossing*, 129.

wish to associate himself with Washington's recent failures and was infamously slow and negligent in his response to his commander's orders for assistance.<sup>113</sup> Before ordering his soldiers to abandon Newark on November 28, Washington informed Governor Livingston that the present state of military affairs in New Jersey was "critical."<sup>114</sup>

The significant problems Washington faced concerning the strength and reliability of his army in Essex were further compounded by Essex residents' indifference to the general's plight. Although Washington did not have much faith in the capacity of American militia, he did believe the New Jersey militia offered a temporary but viable source of manpower that would strengthen his army's position around Newark. Soon after Washington entered Essex, Governor Livingston ordered the new commander of the New Jersey militia, General Matthias Williamson, to immediately summon to Newark militiamen from Essex and six other counties. Livingston expected these men to provide no more than six weeks of service to the Continental Army, but despite the presence of over 10,000 British soldiers near Essex County's northern border, very few men responded to this order.<sup>115</sup> Cornwallis's advance into Acquackanonk compelled Washington to withdraw from Essex on November 28, and for more than one week Essex militiamen continued to ignore his calls for assistance. General Williamson informed Governor Livingston on December 8, 1776 that the Essex County militia was one of the smallest forces available to him during this critical situation. "Very few of the Counties of Essex and Bergen [have] joined my command" Williamson groaned. "Colonel

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<sup>113</sup> Fischer, *Washington's Crossing*, 129-132, Lefkowitz, *The Long Retreat*, 58-62, 76-78

<sup>114</sup> *The Papers of William Livingston*, Volume 1, editor's note, 188.

<sup>115</sup> William Livingston to Matthias Williamson, November 25, 1776 and William Livingston to George Washington, November 27, 1776. The seven counties ordered to provide militia companies to reinforce Washington's army were Essex, Bergen, Morris, Sommerset, Middlesex, and Sussex. *The Papers of William Livingston*, Volume 1, 188-190 and Lefkowitz, *The Long Retreat*, 80

Thomas of Essex County is with us, but has no command of men.”<sup>116</sup> Williamson believed the local population’s military ambivalence rendered him “entirely disabled from doing [his] duty in the brigade,” and he offered his resignation to Livingston.<sup>117</sup> Washington had hoped to leave Newark with a substantially larger army that included reinforcements from General Charles Lee and local militia. Instead he retreated from the town with a much smaller army, forcing him to abandon his plans to make a stand against the British invaders at New Brunswick on the other side of the Raritan River. The failure of the Essex militia to rally to the cause during this crucial period was a prominent factor in Washington’s decision to abandon New Jersey to the British army and flee across the Delaware River into Pennsylvania.

Much to the delight of local Loyalists, Cornwallis’s army entered Newark several hours after Washington’s forces had withdrawn from the town on November 28, 1776. The return of British forces to Essex was very exciting to men whose social standing within their communities suffered as a result of their continued opposition to American independence. Essex residents committed to the king celebrated Cornwallis’s arrival with the same level of enthusiasm that proponents of independence demonstrated at public readings of the Declaration of Independence and New Jersey’s constitution. One Newark resident noted that James Nuttman was so excited by the appearance of British troops in Acquackanonk that he “invited his friends and neighbors to keep *thanksgiving*, as he termed it, by spending the day and taking dinner with him, on the happy occasion.” Nuttman had previously served the Revolution as a militia captain and prison guard, but his reluctance to abandon his British identity led him to regard Cornwallis’s army as “his

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<sup>116</sup> Hatfield, *The History of Elizabeth, New Jersey*, 448.

<sup>117</sup> *Ibid.*

dear brethren and protectors.” “An’t you glad that they are come?” he asked his guests.<sup>118</sup> His joy was undoubtedly shared by Robert Drummond and other conservative revolutionaries whose desire to reform the British Empire alienated them from those who believed only independence could secure Americans’ liberties.

Although Cornwallis’s army remained in Essex for only two days during their pursuit of Washington’s forces, British soldiers quickly returned to the region after they had failed to draw Washington into battle. With the Continental Army scattered throughout Pennsylvania, New Jersey, and New York in December 1776, General Howe turned his attention to restoring British authority and stability throughout New Jersey while also preparing his troops for winter quarters. Following Washington’s escape across the Delaware River, Howe established garrisons in major towns along an east/west line across the middle of the state, including Elizabethtown on the coast.

Elizabethtown residents who had not fled before the British invasion faced the daunting task of hosting several companies of British and Hessian soldiers throughout the winter of 1776-1777.<sup>119</sup> Since the start of the war American’s political and military leaders had labeled these soldiers as the primary tools of British tyranny whose very presence threatened to deprive Americans of their liberty and force them into abject slavery. Following the British army’s victories in New York City, one Continental Army chaplain publicly labeled these soldiers as “the banditti of George III.”<sup>120</sup> Respected leaders and orators of the Revolution such as Dr. Ebenezer Elmer of Cumberland County

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<sup>118</sup> “Nuttman, James,” (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton, Newark tax records list him as “James Nuttman (Capt)” in 1779, but his only documented service in the Essex militia was receiving £5 for guarding prisoners in 1776. See *The Pennsylvania Evening Post*, March 6, 1777 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 308.

<sup>119</sup> Fischer, *Washington’s Crossing*, 346-347.

<sup>120</sup> *The Pennsylvania Evening Post*, November 19, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 229.

called upon all virtuous Americans to not be “idle spectator while [their] country is struggling and bleeding in her own necessary defense; all such inactive persons ought therefore to be shunned as enemies or despised as cowards.”<sup>121</sup> Essex residents may have shared Elmer’s sentiments before December 1776, but the vast majority of them refused to act against the British occupational force within in their communities and instead remained inactive observers in the war.

Despite the widespread animosity Americans had displayed against the British government and its soldiers throughout 1776, General Howe still believed that a genuine reconciliation between America and Britain was possible. After his forces entered Essex County Howe issued a proclamation that greatly altered the political climate within the region and convinced many Essex residents that restoring their allegiance to the British government was the best available option. The general's November 30 proclamation called on Americans to lay down their arms and for Congress to renounce its usurped powers, and it guaranteed a pardon to all individuals who appeared before British officers within sixty days, swore loyalty to the king, and pledged to remain at peace.<sup>122</sup> Many of Howe’s officers and New Jersey Loyalists criticized this proclamation as far too lenient, but Howe believed all New Jersey residents, “save an inconsiderable portion,” would seek pardons after Washington’s army had fled from the state.

Howe overestimated the immediate appeal of his generous amnesty offer, but many New Jersey residents and several Revolutionary leaders chose to accept his terms. Steadfast Loyalists who had long opposed American independence like David Ogden of

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<sup>121</sup> *The Pennsylvania Journal and Weekly Advertiser*, August 28, 1776, in *ASNJ*, Second Series, Vol. 1, 1776-1777, 172-177.

<sup>122</sup> Ira D. Gruber, *The Howe Brother and the American Revolution* (New York: Athenaeum, 1972), 146-147.

Newark were eager to profess their allegiance to George III before British officers and protect their property from British soldiers.<sup>123</sup> In addition to known Loyalists, Howe's proclamation also attracted many wavering Patriots who supported American independence but questioned their ability to secure it after the numerous military disasters that plagued the Continental Army in the fall of 1776. Howe estimated that at least 3,000 men throughout New Jersey and New York took advantage of his offer, and many of them had once been proud supporters of American independence.<sup>124</sup> David Ogden boasted after the war's conclusion that he personally convinced dozens of Newark residents, men who had seen the deplorable condition of the Continental Army with their own eyes, to swear allegiance to George III in December.<sup>125</sup> At least two of New Jersey's most prominent political leaders – former president of the New Jersey Provincial Congress, Samuel Tucker, and signer of the Declaration of Independence, Richard Stockton -- also succumbed to Howe's offer. When British soldiers apprehended Tucker on December 14, 1776, he renounced the Revolution he had long supported and proclaimed himself a subject of George III.<sup>126</sup> Marauding British soldiers ransacked Stockton's house in December of 1776 destroying most of his books and home furnishings. Loyalists turned the Congressional delegate over to the British army as he attempted to return to Philadelphia, and he spent much time in a local prison where his

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<sup>123</sup> Jones, *The Loyalists of New Jersey*, 158.

<sup>124</sup> It is impossible to know how many men accepted Howe's offer because most of his papers were destroyed in a fire after the war's conclusion. Approximately two-thirds of all oaths were administered by British officers between December 8 and 16, but David Hackett Fischer argues that Howe's calculation of 3,000 oath-takers to Lord Germain was too low because it does not take into account any oaths records that were en route to Howe's headquarters when he made this report. *At General Howe's Side: The Diary of General William Howe's Aide de Camp, Captain Friedrich von Muenchhausen*. Translated by Ernst Kipping and Annotated by Samuel Smith (Monmouth Beach, NJ: Phillip Freneau Press, 1974), 3, Gruber, *The Howe Brothers*, 149, and Fischer, *Washington's Crossing*, 162.

<sup>125</sup> Jones, *The Loyalists of New Jersey*, 138.

<sup>126</sup> *Papers of William Livingston*, Volume 1, editor's note 205-206.

captors repeatedly beat and starved him. Stockton had pledged his life, fortune, and sacred honor on behalf of American independence in July. His concern for the safety of himself and his family in December 1776, however, led him recant and swear allegiance to the British government.<sup>127</sup> While the residents of Essex County did not experience the same level of physical abuse as Stockton, the presence of several hundred British soldiers within their communities nonetheless placed them under significant duress throughout December. Those who refused to initially accept Howe's offer prayed that the tide of war would change before the sixty-day window for amnesty expired.

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The people of Essex were at a crossroads in December 1776. The question of American independence had splintered what had once been a broad and politically inclusive Revolutionary movement, but by the end of the year many residents were living among British soldiers whom they had condemned as tyrannical oppressors since they first learned of the bloodshed at Lexington and Concord. Essex women allowed British or Hessian officers to escort them to church, and Hessian Chaplain Philip Waldeck wrote in his diary that his December in Elizabethtown was filled with "many pleasures." The British garrison "celebrated Christmas in peace and quiet," and according to Waldeck the situation in Elizabethtown was so peaceful that "many of the inhabitants who fled from fear, now returned again because of the reports of the good conduct of the regiment."<sup>128</sup>

This drastic turn of events in Essex and similar behavior throughout New Jersey shocked

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<sup>127</sup> John T. Cunningham, *New Jersey's Revolutionary Experience*, Vol. 6, *New Jersey's Five Who Signed* (Trenton: New Jersey Historical Commission, 1975), 27-28 and Fischer, *Washington's Crossing*, 163-165.

<sup>128</sup> Philipp Waldeck, *A Hessian Report on the People, the land, the War As Noted in the Diary of Chaplain Philipp Waldeck (1776-1780)*, translated from Hessian Manuscript #28 of the Bancroft Collection of the New York Public Library by Bruce E. Burgoyne (Bowie, MD: Heritage Books, Inc., 1995), v-vi, 26-29.

the state's political and military leaders such as General Matthias Williamson. The general lamented to Governor Livingston that "many [residents] who bore the character of warm Whigs have been foremost in seeking protection from General Howe and forsaking the American cause."<sup>129</sup>

While Williamson grieved over New Jersey residents' waning enthusiasm for the Revolution in December 1776, British émigré and celebrated pamphleteer Thomas Paine published a new work, *The American Crisis, Number 1*, that boldly called upon his countrymen to stay the course. Paine acknowledged that "These are the times that try men's souls," but he strongly rebuked the "summer soldier and sunshine patriot" who shrank from the service of his country while celebrating those who resolved to continue their fight against British tyranny.<sup>130</sup> Paine served as an aide de camp to General Nathaniel Greene, and he had witnessed first-hand the Continental Army's disastrous defense of New York City and retreat across New Jersey. Moreover, Paine had also witnessed the widespread indifference that New Jersey residents had demonstrated towards the plight of Washington's forces, and he began working on his famous call to arms in Newark while Washington waited for reinforcements that would never come.<sup>131</sup> By the close of 1776, the people of Essex resembled the "sunshine patriots" whom Paine vehemently denounced. In order for the Revolution to succeed in Essex, its residents would need to quickly restore the military enthusiasm they had felt in April of 1775 and the uncompromising determination they expressed in July of 1776.

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<sup>129</sup> Matthias Williamson to William Livingston, December 8, 1776 in Hatfield, *History of Elizabeth*, 448.

<sup>130</sup> Thomas Paine, *The American Crisis, Number 1* in *Our Nation's Archive, The History of the United States in Documents*, edited by Erik Bruun and Jay Crosby (New York: Black Dog & Leventhal Publishers, Inc., 1999), 135-136.

<sup>131</sup> Lefkowitz, *The Long Retreat*, 66-67. Historian Richard Ketchum believes Paine finished most of *The American Crisis, Number 1* at Newark.

### Chapter Three -- “We Want Men, Not Money”: Local Warfare and Military Service in Essex County

The British army that occupied Elizabethtown and much of New Jersey in December 1776 was a highly trained military force that enjoyed significant advantages over its adversaries. Unlike the Continental Army, the officers and enlisted men of this army were professional soldiers who voluntarily enlisted to serve for life.<sup>1</sup> The generals commanding the British army throughout New Jersey had each served for an average of thirty years and achieved great victories for the British Empire across several continents during the Seven Year’s War. Many of their troops were seasoned veterans with valuable combat experience, and even those who had never seen battle before had an average of nine years of military training before they arrived on Staten Island.<sup>2</sup> According to one American observer, the British army stationed at Elizabethtown and across New Jersey in December 1776 was “the most arrogant army in the world, but it had much to be arrogant about.”<sup>3</sup>

Despite the aura of invincibility surrounding Howe’s army, proponents of American independence firmly believed they could defeat the British general’s troops in battle. British soldiers had years of training, but American Whig authors rejected the very idea of standing armies as the tools of oppression. They celebrated America’s tradition of citizen-soldiers and defended the fighting spirit of men who laid down their tools to take up arms as thousands of militiamen did throughout New England in May 1775. Scores of political pamphlets and religious sermons proclaimed the message that men fighting to defend their liberty and property against the forces of tyranny were more

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<sup>1</sup> David Hackett Fischer, *Washington’s Crossing* (Oxford: Oxford University Press, 2004), 39.

<sup>2</sup> *Ibid.*, 33.

<sup>3</sup> *Ibid.*

reliable and braver in battle than professional soldiers who fought merely for wages.<sup>4</sup> In May 1775, the Presbyterian synods of New York and Philadelphia drafted a statement on the superiority of American soldiers that Essex ministers James Caldwell and Alexander McWhorter read to their congregations. “There is no soldier so undaunted as the pious man,” the Reverends Caldwell and McWhorter proclaimed, “no army so formidable as those who are superior to the fear of death . . . that man will fight most bravely who never fights till it is necessary and who ceases to fight as soon as the necessity is over.”<sup>5</sup> To the Presbyterian leadership and many other Americans, America’s military inexperience was not a weakness but a reflection of the republican virtue and strength of character that would bring inevitable victory.

Initially, the men of Essex failed to demonstrate this military virtue when they refused to assist Washington’s army as it fled before Cornwallis’s invasion of New Jersey in November 1776, but they would have many other opportunities to do so throughout the conflict. British commanders shifted their campaign from New Jersey to targets in Pennsylvania and the South after 1777, but they stationed numerous regiments in New York City and Staten Island for the duration of the war. The proximity of these garrisons to Essex County prevented its residents from returning to the lifestyles they had enjoyed before the British army’s arrival in the summer of 1776. Aided by their Hessian and Loyalist allies, British soldiers waged a destructive and bloody guerilla war that placed the lives and property of the men and women of Essex in constant danger. They attacked

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<sup>4</sup> For colonists views of standing armies see Barnard Bailyn, *The Ideological Origins of the American Revolution*, 5<sup>th</sup> Printing, (Cambridge, MA: Belknap Press of Harvard University Press, 1971), 61-64, 112-119. For early praise of American forces see James Thacher, *Military Journal of the American Revolution* (New York: New York Times and Arno Press, 1969), 59.

<sup>5</sup> David Lawrence Pierson, *Narratives of Newark (In New Jersey) From the Days of Its Founding 1666-1916* (Newark: Pierson Publishing Co, 1917), 191.

at all times of day and throughout all seasons of the year, and their attacks became so frequent that one New Jersey resident claimed “the friends of America cannot sleep securely in their beds” due to the “infernal paracides” plaguing the New Jersey coast.<sup>6</sup> The severity of the British assault on Essex dissolved any lingering affection or respect its inhabitants had for Great Britain. It was the responsibility of the county’s militiamen to defend their neighbors from the “savage” enemies who plundered, kidnapped, and killed throughout the region. Between 1777 and 1780, however, the county's militiamen were either ill-equipped or unwilling to provide the military force needed to protect Essex County. During this period the minimal Continental and militia forces guarding the county could only react to, rather than prevent, enemy incursions into the region. The resulting damage to Essex communities not only strengthened popular animosity towards Great Britain and the people’s commitment to American independence but also demonstrated the government’s weakness and the people's shortcomings as citizen-soldiers.

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Throughout December 1776, many Essex residents likely believed that the war for independence was lost. They had personally seen the pitiful size and rag-tag condition of Washington’s Continental Army as it fled before Cornwallis’s superior force. Its soldiers had lost much of their equipment during their narrow escape from Fort Lee, and many of them deserted into the New Jersey countryside during their retreat. Informed citizens knew Washington’s force would become even smaller as most soldiers’ one-year enlistments would be fulfilled on December 1 or January 1. In addition to the

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<sup>6</sup> Unnamed newspaper, *Archives of the State of New Jersey (ASNJ)*, Second Series, Vol. 3, *Extracts from American Newspapers, 1779*, William Nelson, ed. (Trenton: The John L. Murphy Publishing Co., 1903), 459.

Continental Army's crumbling strength, Essex residents also recognized that Howe's army held what appeared to be an insurmountable position within New Jersey throughout December 1776. The state's civil and military authorities seemed powerless in the face of Howe's forces, and many citizens believed the general sincerely wished to end hostilities without further violence and regarded his November amnesty offer as being in their best interest. Those Elizabethtown residents who returned to their homes before Christmas may have done so because they were prepared to accept both the presence of British soldiers in their community and the restoration of British authority.

George Washington's stunning victories at Trenton and Princeton, however, gave Americans who considered the war to be lost reason to reconsider. On December 26, 1776, Washington's forces attacked the British army's outpost at Trenton and captured approximately 900 Hessian soldiers, six cannons, and enough material to equip several American brigades.<sup>7</sup> One week later, the Continental Army eluded Cornwallis's forces outside Trenton and marched north under the cover of darkness to Princeton where it defeated an isolated British regiment. These victories produced many strategic benefits for the American war effort, but their greatest significance was the symbolic message they sent to the American people. Washington's victories demonstrated that the British army in New Jersey was not invincible and that the war for independence was not over.

These victories also were a significant shock to those Americans considering Howe's call to renew their allegiance to the British government and even greater shock to the British and Hessian soldiers who had grown overly confident and complacent during their occupation of New Jersey. Hessian Captain Johan Ewald lamented in late December "thus had the times changed! The Americans had constantly run before us . . .

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<sup>7</sup> Fischer, *Washington's Crossing*, 254-255.

[but] such a fright came over the army that if Washington had used this opportunity we would have to flown to our ships and let him have all of America.”<sup>8</sup> In Elizabethtown, Hessian chaplain Philipp Waldeck found this reversal of fortune incomprehensible. He observed on January 2, 1777 “the bad news from Trenton could hardly be doubted any longer. Our pleasure in Elizabethtown has passed.”<sup>9</sup> As historian Ira Gruber argues, “in a week’s time Washington had spoiled the work of months” and demonstrated that the Howe brothers’ 1776 campaign would not produce the peace they sought.<sup>10</sup>

The Continental victories at Trenton and Princeton inspired a great many Essex County men to take up arms against the British force within their communities, something they had failed to do when the British invaded in November. At that time Essex offered little military resistance to the British occupation force, and the only documented militia effort against British soldiers occurred outside Springfield on December 17, 1776.<sup>11</sup> This situation changed drastically during the first week of January as a large number of Essex militiamen joined men from other counties in reporting to General William Maxwell of the Continental Army who sought to drive the British from Essex. On January 5, Maxwell’s soldiers and local militia attacked British forces at Newark, Rahway, and Elizabethtown. During the next two days, Maxwell’s army

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<sup>8</sup> Johan Ewald, *Diary of the American War: A Hessian Journal*, translated and edited by Joseph P. Tustin (New Haven: Yale University Press, 1979), 44.

<sup>9</sup> Philipp Waldeck, *A Hessian Report on the People, the land, the War As Noted in the Diary of Chaplain Philipp Waldeck (1776-1780)*, translated from Hessian Manuscript #28 of the Bancroft Collection of the New York Public Library by Bruce E. Burgoyne, (Bowie, MD: Heritage Books, Inc, 1995), 29.

<sup>10</sup> Gruber, Ira D., *The Howe Brothers and the American Revolution* (New York: Athenaeum, 1972), 156-157.

<sup>11</sup> David C. Munn, *Battles and Skirmishes of the American Revolution in New Jersey* (Trenton: Bureau of Geology and Topography, Department of Environment Protection, 1976), 100. Only twenty documented Essex residents participated in this engagement. Department of Defense, Adjutant General’s Office (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, New Jersey State Archives, Trenton.

continued to harass the British and Hessian garrison stationed at Elizabethtown.<sup>12</sup> British soldiers occupying Essex had not experienced such widespread and steadfast opposition from the region's inhabitants, and Philipp Waldeck's journal illustrates the anxiety and terror this sudden resistance instilled. "One can no longer lie down to sleep," he wrote during that tumultuous week, "without thinking this is the last night, the last night of freedom." Soldiers slept fully clothed so they would be immediately ready for action.<sup>13</sup> Waldeck complained that his regiment could not receive adequate rest and "did not feel secure enough to hold church services" because the soldiers believed they "were not safe from an enemy attack at any moment."<sup>14</sup> British posts throughout New Jersey faced similar assaults by Continental Army and militia units, and their hold on the state grew so precarious that on January 7 Howe ordered his troops to consolidate at New Brunswick and Perth Amboy. Waldeck's regiment at Elizabethtown marched to Perth Amboy without incident, but on January 8 General Maxwell's forces chased the remaining British regiments from the region and effectively restored Revolutionary authority throughout Essex.<sup>15</sup>

The expulsion of British forces from Essex County allowed residents who had fled to other parts of the state to safely return to their homes for the first time in weeks, but their communities did not resemble those they had left before the British invasion. Presbyterian minister Alexander McWhorter of Newark reported to the Continental Congress that the British soldiers were guilty of "atrocious" and "universal" plundering

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<sup>12</sup> Munn, *Battles and Skirmishes*, 30 and Fischer, *Washington's Crossing*, 354

<sup>13</sup> Philipp Waldeck, *A Hessian Report*, 29.

<sup>14</sup> *Ibid.*

<sup>15</sup> Theodore Thayer, *As We Were: The Story of Old Elizabethtown* (Elizabeth, NJ: Grassman Publishing Company, Inc., 1964), 123 and Harry M. Ward, *General William Maxwell and the New Jersey Continentals* (Westport, CT: Greenwood Press, 1997), 50-51. Maxwell's forces captured 90 Hessian and British soldiers when they entered Elizabethtown as well as a large supply of provisions.

throughout the region.<sup>16</sup> General Howe, in an attempt to secure the allegiance of the New Jersey population, had ordered his men to pay for all the supplies they seized from the state's residents in either gold or silver, but his forces widely ignored this order. Most soldiers offered promissory notes in lieu of payment or simply stole residents' property, and they showed such little restraint in their plunder that they jeopardized many Essex residents' economic future or very survival.<sup>17</sup> A great many farmers such as John Alling of Newark lost large numbers of horses and dairy cows to British soldiers. The theft of these valuable animals stripped Alling and other yeomen farmers of valuable assets while simultaneously denying them access to the labor and income that their horses and dairy cows provided.<sup>18</sup> Soldiers also emptied residents' barns, kitchens, and bedrooms in their pursuit of the food, beverages, bedding, and clothing that they needed to stay healthy during their campaigns. They carried from homes throughout Essex large quantities of men's shoes, boots, pants, shirts, jackets and hats, sometimes removing every article of men's clothing that they found. According to the Reverend Alexander McWhorter, when British soldiers entered the homes of Newark residents Zophar Beach, Josiah Beach, and Samuel Pennington they left their victims with "hardly a rag of clothing, save what was on their backs."<sup>19</sup>

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<sup>16</sup> *The Pennsylvania Evening Post*, April 24, 1777 in *Archives of the State of New Jersey*, Second Series, Vol. 1, *Extracts from American Newspapers, 1776-1777*, William Striker, ed. (Trenton: The John L. Murphy Publishing Co., 1901), 350.

<sup>17</sup> Fischer, *Washington's Crossing*, 172-173.

<sup>18</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Newark, No. 44, John Alling, New Jersey State Archives (NSJA), Trenton. Alling lost six milk cows and four horses to British plunderers at an estimated total value of £90. These inventories were compiled in accordance with a December 20, 1781 state law calling for county commissioners to document all property damages suffered by citizens during the war for independence. They were filed by 1786 and itemize all damages suffered by nearly 400 residents of Acquackanonk, Newark, Elizabethtown, Rahway, Westfield, Springfield, and Connecticut Farms. Over half of these claims indicate losses suffered in November or December of 1776.

<sup>19</sup> *The Pennsylvania Evening Post*, April 24, 1777 in *ASNJ*, Second Series, Volume 1, 1776-1777, 350.

The economic devastation inflicted upon Essex residents by British soldiers, however, was not limited to seizing military necessities. Both enlisted men and British officers participated in plundering, and there was no property that they would not carry off or wantonly destroy for pleasure. In addition to men's clothing, British soldiers also stole large quantities of women's gowns, petticoats, corsets, and bonnets as well as children's clothing.<sup>20</sup> British and Hessian soldiers brought economic ruin to skilled laborers such as shoemakers and carpenters by stealing the tools that they needed to carry on their trade.<sup>21</sup> Far from ordering an end to such thievery, high-ranking officers such as General William Erskine and several British colonels ordered their soldiers to remove expensive furniture from a number of Newark homes so that the officers could decorate their personal quarters with these new acquisitions. Rather than leave these valuable prizes behind during the British army's hasty evacuation of Essex, these officers made sure that this furniture was transported to New Brunswick and Perth Amboy with the rest of the army's baggage.<sup>22</sup> The British army's disregard for residents' property rights was so great that in addition to looting many soldiers destroyed property for sport. Reverend McWhorter reported to Congress that the British forces took great pleasure in destroying "fences, barns, stables, and other outhouses" as well as "the breaking of chests of drawers, desks, tables, and other furniture."<sup>23</sup> During the British army's one-month

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<sup>20</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Newark, No 6, Israel Beach, No. 54, William Camp, 31, Elias Dod, NJSA, Trenton.

<sup>21</sup> *The Pennsylvania Evening Post*, April 24, 1777 in *ASNJ*, Second Series, Volume 1, 1776-1777, 352 and Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Newark, No. 21 Robert Nichols, NJSA, Trenton. The carpenters' tools stolen from Robert Nicholas were valued at £35 which was more than the value of his stolen wagon, seventeen sheep, twelve "barrels of good cider" combined.

<sup>22</sup> *The Pennsylvania Evening Post*, April 24, 1777 in *ASNJ*, Second Series, Vol 1, 1776-1777, 353.

<sup>23</sup> *Ibid.*, 352.

occupation of Essex, £13,000 worth of goods were stolen or destroyed.<sup>24</sup> The devastation was so shocking that McWhorter recalled that Newark “looked more like a scene of ruin than a pleasant well cultivated village.”<sup>25</sup>

Men and women returning to Essex after the British evacuation also learned of the severe physical and emotional suffering Howe’s soldiers inflicted on those residents who stayed behind, especially those that military tradition and political prudence required them to protect: women, the elderly, and Loyalists. Stories about the crimes committed against vulnerable civilians circulated throughout the region and jeopardized Howe’s goal of restoring people’s faith in the government he represented. British soldiers reportedly raped several Essex women including an “old woman near seventy years of age,” another “considerably advanced in her pregnancy,” and a “young girl.” Alexander McWhorter reported stories about gangs of British soldiers and officers roving through Newark searching for women, several of whom he claimed were spared from their predators only through the “favorable interposition of Providence.”<sup>26</sup> British soldiers also harassed and abused many of the regions’ most respected elderly residents. One of the most unfortunate victims of the British invasion of Essex was seventy-four year old Benjamin Coe of Newark. Soldiers not only plundered £87 worth of food, clothing, furniture, and

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<sup>24</sup> This value was determined from war damage claims filed by residents who only lost property in November and December 1776. Claims filed by individuals who property in 1776 as well as later in the war were not included as there is no way to indicate what items were stolen or destroyed in 1776 and what items were lost after. Therefore the actual property damage inflicted by British troops during its one-month occupation of Essex is actually larger.

<sup>25</sup> *The Pennsylvania Evening Post*, April 24, 1777 in *ASNJ*, Second Series, Vol 1, 1776-1777, 348, 350.

<sup>26</sup> *Ibid.*, 351.

jewelry from Coe's house, but they also chased he and his wife from their home before burning it to the ground on November 28.<sup>27</sup>

Even politically disinterested residents and those openly loyal to the British crown were not spared from British abuse. Benjamin Coe's neighbor, John Ogden, was a respected elderly resident of Newark who was politically inactive during the first year of the Revolution. According to McWhorter, Ogden "had never done much in the controversy one way or another," but British soldiers treated Ogden as a traitor and "insulted and abused" him "threatening sometimes to hang him and sometimes to cut off his head."<sup>28</sup> British forces even assaulted James Nuttman, a man so loyal to the British crown that he openly invited his friends and neighbors in Newark to a dinner celebrating the arrival of British troops to the region. One Whig author noted that in spite of his open allegiance to the George III, British soldiers "stripped him of all his moveable property, even to his shoes and stockings, and the poor wretch of a Tory was under necessity of begging from his neighbours something to cover his nakedness."<sup>29</sup>

Stories about British soldiers' malicious behavior during their invasion and occupation of Essex circulated at a time when Revolutionary leaders called upon patriots to maintain pressure against the British army in New Jersey. The state government was in desperate need of large numbers of Essex militiamen to serve throughout the winter of 1777 because the British army's threat to the region had not disappeared with its retreat from Elizabethtown. Continental officers recognized that Howe's forces would remain

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<sup>27</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Newark, No. 10, Benjamin Coe, NJSA, Trenton, NJ. The house measured sixty by thirty-eight feet and was worth approximately £250. For a brief biography of Coe see editor's note, *ASNJ*, Second Series, Vol. 1, 1776-1777, 352.

<sup>28</sup> *The Pennsylvania Evening Post*, April 24, 1777 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 351.

<sup>29</sup> *The Pennsylvania Evening Post*, March 6, 1777 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 308.

busy throughout the winter of 1777 securing the provisions they would need for their upcoming summer campaign, specifically forage for their animals. Without adequate supplies of hay, grain, and other foodstuffs the British army's mobility throughout 1777 would be greatly limited; malnourished horses could not be used as cavalry mounts or to pull artillery and supply wagons.<sup>30</sup> Since Essex County was located in the fertile Passaic River Valley and in close proximity to the British garrison at Perth Amboy, its farms were likely targets of British foraging parties. Without significant assistance from the Essex militia, Continental forces could not prevent the British army from seizing the provisions it required from Essex residents.

The people's newfound military enthusiasm did not wane after the reclamation of their communities, and during the winter of 1777 its inhabitants readily assisted the Continental Army during what historians have labeled the Forage War.<sup>31</sup> Essex County men widely ignored calls to report for militia service during the British invasion and occupation of New Jersey, but the number of Essex county men who took up arms in March 1777 was nearly four times larger than those who reported for duty in December 1776.<sup>32</sup> This significant increase reflected a great fervor for battle because militiamen reporting throughout the winter knew that they would be called upon to risk their lives combating the British foraging parties that travelled with great regularity from New Brunswick and Perth Amboy. The militiamen did not shy away from challenging British troops and eagerly clashed with them throughout Essex and the surrounding areas.

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<sup>30</sup> Fischer, *Washington's Crossing*, 352.

<sup>31</sup> For information on the Forage War see Fischer, *Washington's Crossing*, 346-362 and Jared C. Lobdell, "Six General Gather Forage: The Engagement at Quibbletown, 1777," *New Jersey History* 102, no. 3 (1984), 34-49.

<sup>32</sup> Department of Defense, Adjutant General's Office (Revolutionary War), *Service Abstracts [Cards]*, ca. 1776-1783, New Jersey State Archives, Trenton, NJ. Only twenty-six men provided documented militia service in December 1776, but ninety-two men served in the Essex militia at some point in March 1777.

Continental Army General Adam Stephen observed that the men under his command typically engaged British soldiers between eight and ten times each week, but they were always in high spirits. He reported they “only ask where the Enemy come out & where they are, without enquiring into their Numbers & so fall on.”<sup>33</sup>

An analysis of Essex County’s militia rosters from the Forage War indicates that men who lost property to British and Hessian soldiers during their invasion and occupation of Essex were particularly eager to take up arms. Over two hundred Essex residents were the victims of British plunder in November and December 1776, and these men comprised a disproportionately large percentage of the Essex militia between January and March. Property damage claimants represented approximately 7% of all males old enough to serve in the Essex militia, but these men accounted for more than 15% of those who took up arms in March of 1777.<sup>34</sup> This discrepancy demonstrates that the transgressions committed by British soldiers played a prominent role in ending the Essex population’s military indifference and encouraged men like David Dod to report for militia duty for the first time since the conflict began.<sup>35</sup> Dod was married with two children, and the income he earned from his eighty-acre farm, gristmill, and cider mill placed him securely among Newark’s upper class.<sup>36</sup> With his economic prominence and family responsibilities, Dod clearly had a lot to lose if he left Essex to serve for extended periods of time or if he fell in battle against British forces. Despite the significant risk to themselves and their families’ future, Dod and other victims of British plunder reported

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<sup>33</sup> Ward, *General William Maxwell*, 54.

<sup>34</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782 and (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, New Jersey State Archives, Trenton, NJ.

<sup>35</sup> *Ibid.*

<sup>36</sup> Tax Ratables, Box 99, Essex County, Newark Township, February 1779, NJSA, Trenton. Based on his property, paid £6.55 in taxes in 1779, a value that placed him in the top 15% of the male taxpayers that year.

for militia duty in large numbers ready to attack the British soldiers responsible for their economic losses.

The Essex residents who served in the Forage War participated in deadly assaults against British raiders and inflicted significant casualties on their enemies. The Continental forces and Essex militia mounted frequent hit-and-run assaults on smaller British or Hessian raiding parties such as Colonel Oliver Spencer's January 15, 1777 attack on a band of one hundred Hessian foragers. The three hundred militiamen commanded by Spencer overwhelmed the enemy unit and successfully killed or captured seventy-one men.<sup>37</sup> Another common tactic utilized by the Continentals and militiamen conducting the Forage War was to surprise their adversaries from concealed locations and hastily retreat before their enemies could re-group and counter-attack. The professional soldiers of the British army were unaccustomed to this style of combat and greatly were frustrated by its unconventional nature. Philip Waldeck vehemently condemned these tactics in his diary and mourned for those "who are shot dead in dastardly fashion by the rebels . . . hidden behind bushes and houses."<sup>38</sup> General James Grant expressed similar frustrations and complained that the militia "pop at every Man they see upon the Road . . . [and] 'tis impossible to catch them."<sup>39</sup> These professional soldiers regarded such tactics as dishonorable, but they were a highly effective means of protecting the property of Essex residents as hundreds of British invaders fell to the Continental and militia forces.

Although British foraging parties clashed with American forces dozens of times all over eastern New Jersey, the Forage War was particularly ferocious within Essex

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<sup>37</sup> Fischer, *Washington's Crossing*, 352.

<sup>38</sup> Waldeck, *A Hessian Report*, 29.

<sup>39</sup> Paul David Nelson, *General James Grant, Scottish Soldier and Royal Governor of East Florida* (Gainesville, FL: University Press of Florida, 1993) 113.

County. Sixteen documented battles and skirmishes were fought in Essex between January and March 1777, including the Battle of Rahway on February 23, 1777. Colonel Charles Mahwood left Perth Amboy on that date with 1,500 British soldiers, one of the largest forces assembled by the British during the Forage War. Mahwood set out to seize provisions from Essex residents, and he also believed his soldiers could “surprise, surround, [and] extirpate the Rebel Army, or at least a large part of it.”<sup>40</sup> The British colonel divided his army into two forces once they reached the southern Essex town of Rahway, one group to gather supplies for the British army and the other to engage any American forces they could locate. Mahwood’s forces located and engaged a small contingent of American troops stationed on a hill in Rahway, but rather than achieve the victory Mahwood anticipated, his troops were decimated by a band of Continental soldiers and militiamen whom General Maxwell had concealed behind a nearby wall. The American forces in Rahway not only repelled the numerically superior British army but also chased the fleeing soldiers all the way back to Perth Amboy. The British suffered between sixty-five and one hundred casualties at the Battle of Rahway, a far greater total than those lost at any other engagement throughout the Forage War. According to one observer, Mahwood’s forces brought between fifteen and twenty wagons to carry goods from Rahway, but these carts were instead “employed in carrying off their dead and wounded” with “some of the wagons were so piled, that the dead fell off, and were left in the road.”<sup>41</sup>

Due to the zealous service of local militiamen and Continental soldiers Army, the Forage War was a resounding success for New Jersey’s Revolutionary government.

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<sup>40</sup> Ward, *General William Maxwell*, 54.

<sup>41</sup> *Pennsylvania Journal and Weekly Advertiser*, March 5, 1777, in *ASNJ*, Second Series, Vol. 1, 1776-1777, 307.

Although most engagements lacked the size and deadly nature of the Battle of Rahway, the American forces achieved numerous victories that bolstered the population's renewed enthusiasm for the war effort and severely weakened the morale of British forces. American newspapers celebrated these victories by reporting the significant casualties suffered by British foraging parties and by mocking the drastic increase in their size as British officers attempted to ensure their safety.<sup>42</sup> The "dastardly" tactics employed by American forces throughout the Forage War worked against foraging parties of all sizes, and British Colonel Allan Maclean lamented that British soldiers were "tossed and kicked about most amazingly" throughout New Jersey, leading to the loss "of a great many good men."<sup>43</sup> Foraging parties frequently returned to their base exhausted, empty-handed, and alarmingly smaller than when they departed, leaving soldiers like Philipp Waldeck to wonder if their missing comrades were dead, wounded, or captured.<sup>44</sup> The frequency with which the British army met defeat throughout the Forage War sapped morale within the British ranks. Even seasoned veterans such as General James Grant who had served as an officer of the British army for over thirty years and fought in numerous wars before the Revolution regarded the Forage War as "the most unpleasant" situation he had ever faced.<sup>45</sup>

American victories throughout the Forage War steadily depleted the British army's numeric strength and ultimately led General Howe to abandon New Jersey in June 1777. David Hackett Fischer estimates British losses throughout the Forage War to be

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<sup>42</sup> *The Pennsylvania Journal and Weekly Advertiser*, January 29, 1777 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 276. The author notes that the British "do not pretend to send as a foraging party less than 500 or 600 men."

<sup>43</sup> Fischer, *Washington's Crossing*, 346.

<sup>44</sup> Waldeck, *A Hessian Report*, 29.

<sup>45</sup> Nelson, *General James Grant*, 113.

954 men captured, wounded, or killed, a total representing a significant portion of Howe's battle-ready troops in America. When the Forage War's nearly one thousand casualties are combined with the casualties suffered at New York, Trenton, and Princeton and those soldiers who were too sick for duty, Howe's army was only 60% as strong as it was when it first arrived on Staten Island.<sup>46</sup> Members of Parliament were shocked when Howe requested an additional 20,000 reinforcements in January 1777 since he had arrived with 31,000 troops only six months earlier, the largest European army ever sent to American shores.<sup>47</sup> The additional loss of nearly one thousand British soldiers during the Forage War made these reinforcements all the more necessary. When Howe returned from New York to New Jersey in June, he waited several weeks before giving orders for the British army to evacuate their New Jersey positions and to prepare for a campaign against Philadelphia. On June 22 his soldiers abandoned New Brunswick, a post they had held for more than six months and retreated to the coastal city of Perth Amboy. After plundering Essex residents in the village of Westfield on June 26 and defeating a Continental force near Woodbridge, the last British troops evacuated New Jersey on June 30, 1777 and returned to Staten Island.<sup>48</sup>

Howe's decision to evacuate New Jersey made him the target of much criticism from his officers as well as the target of mockery and taunting from New Jersey's Revolutionary population. British Colonel Charles Stuart believed that "both in a military and political sense it seems highly injudicious to have maintained posts [in New Jersey], which have cost you near 2,000 men, and then evacuate them as of no use, and to

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<sup>46</sup> Fischer, *Washington's Crossing*, Appendix T and U, 418-419.

<sup>47</sup> *Ibid.*, 359.

<sup>48</sup> Nelson, *General James Grant*, 117-119 and Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Westfield, NJSA, Trenton. Over 90 Westfield residents lost property to British forces on June 26 and June 27, 1777.

leave unprotected and exposed to a cruel and implacable enemy those inhabitants that have sought your protection and served you.”<sup>49</sup> While British officers criticized Howe in their private correspondence, newspapers circulating throughout New Jersey lauded Howe’s evacuation as a sign vindicating the justness of America’s cause, the might of its soldiers, and the ineptitude of the British military. The *Pennsylvania Evening Post* informed readers that fewer than three thousand Continental soldiers and militiamen confined the British army to New Brunswick and Perth Amboy, and whenever its soldiers “dared to march out a few miles from that place, our brave countrymen chaced [them] from the state.”<sup>50</sup> Whig authors ridiculed Howe for his alleged cowardice. The most scathing account of Howe’s retreat from New Jersey came in the form of a satirical missing person advertisement for a “certain William Howe,” demeaning the British general with the same style and language found in advertisements for runaway servants or slaves.

William Howe, alias General Howe, alias Sir William alias anything or nothing, has lately gone off greatly in debt to sundry persons in New-Jersey and other parts of the continental, and has not left wherewithal to make payment for the same; this is therefore to caution all persons not to trust him on any account, as they will certainly lose their money. Said Howe is charged with having, in company with one Cornwallis not yet taken, broke into several houses in New-Jersey, and stolen and carried off many valuable effects; likewise with being concerned in counterfeiting the currency of this Continent. He is a very ill looking fellow, and is an indentured servant to a certain George Whelp, alias Geulph, alias King George. Whoever will secure said Howe in any of the jails of this Continent, or will give notice where he is to the American army, shall be handsomely reward. He was lately seen skulking about Amboy, Westfield, and Spanktown in the Jersies, and has not since been heard of . . .”<sup>51</sup>

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<sup>49</sup> Nelson, *General James Grant*, 119.

<sup>50</sup> *Pennsylvania Evening Post*, August 2, 1777 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 440.

<sup>51</sup> *Pennsylvania Evening Post*, July 10, 1777 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 440.

The majority of Howe's army remained on Staten Island for several weeks before setting sail to begin its Philadelphia campaign, but the army's departure did not free the people of Essex from military peril. General Howe and his successors regarded Staten Island as a key staging area for British operations in America and, therefore, retained a sizeable military force on the island for the duration of the war. In addition to the permanent British garrison on Staten Island, the territory also was home to large numbers of Loyalists who fled their houses in New York and New Jersey following the surprising turn of military events throughout the winter of 1777. The small Staten Island population remained fiercely loyal to the crown and consistently presented problems to the Revolution's government during the first year of the war, but its population swelled considerably when it was transformed into a Loyalist refugee center.<sup>52</sup> The ongoing presence of thousands of British and Hessian soldiers as well as hundreds of angry Loyalist refugees so close to New Jersey's coastal communities greatly concerned the state's leadership. Governor William Livingston feared that Elizabethtown and Newark would be "peculiarly exposed to the Irruptions of the Enemy" on Staten Island if significant numbers of Continental troops were not stationed in these communities.<sup>53</sup>

New Jersey's coastal population shared Livingston's fears, but no action taken by them could effectively remove this danger. Riflemen plagued British soldiers and Loyalists on the western coast of Staten Island by firing at them from concealed positions in buildings, marshes, and woodlands across the narrow Arthur Kill, and some succeeded

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<sup>52</sup> Philip Papas, *That Ever Loyal Island: Staten Island and the American Revolution* (New York: New York University Press, 2007), 57.

<sup>53</sup> William Livingston to General Philemon Dickinson, July 18, 1777, *The Papers of William Livingston*, Volume 2, July 1777-December 1778, Carl E. Prince, ed. (Trenton: New Jersey Historical Commission, 1980), 23. Although the Continental forces Livingston desired were kept in those towns throughout much of the war, they were still exposed to frequent invasions.

in wounding or killing their targets. British officers were enraged by this harassment and labeled it an “unmanly and infamous kind of War, which no civilized Nation will allow,” but this activity did little to weaken the military capacity of America’s enemies on Staten Island.<sup>54</sup> Mirroring the tactics used during the Forage War, New Jersey militiamen also formed small bands that crossed the channel to plunder Loyalists’ homes and fire on enemy outposts before quickly departing. Hessian private Johann Conrad Dohla wrote on June 8, 1777 that American incursions to Staten Island occurred with such regularity “that there is no rest in camp at night.”<sup>55</sup> While these raids fulfilled many New Jersey residents’ desire to strike at their enemies, they failed to produce a long-term solution to the threat emanating from Staten Island.

Only a coordinated effort by the Continental Army could successfully drive the British army from Staten Island or reduce its military capacity to the point that it ceased to threaten Essex County residents. Generals William Alexander and John Sullivan’s first attempt to drive the British from Staten Island after Howe initiated his campaign for Philadelphia began promisingly but ended in failure. On August 21, 1777, Alexander and Sullivan and 1,500 Continental soldiers launched a surprise attack against the island’s British and Loyalist defenders. The American army burned approximately thirty-five tons of hay near the island’s western and northern coasts, and according to one Loyalist newspaper, the invaders “routed” Colonel Barton’s battalion before taking him prisoner.<sup>56</sup> Elizabethtown residents Matthias Ogden and Elias Dayton served as colonels in the Continental Army and contributed to the invasion’s early success as their regiments

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<sup>54</sup> Papas, *That Ever Loyal Island*, 92.

<sup>55</sup> Papas, *That Ever Loyal Island*, 84.

<sup>56</sup> Thayer, *As We Were*, 125. *New York Gazette and Weekly Mercury*, August 25, 1777 in *ASNJ*, Second Series, Vol. I, 1776-1777, 453.

captured nearly one hundred enemy prisoners. Their initial successes, however, were quickly offset by the humiliating losses American forces suffered during their retreat to New Jersey. The Continental divisions could not coordinate their withdrawal from the island, and as a result several hundred American soldiers were either killed or captured.<sup>57</sup> According to Continental Army Colonel Frederick Frelinghuysen, this crushing defeat was the result of the “most unpardonable neglect” of General John Sullivan.<sup>58</sup> The failure of this assault and the limited success that marked all future invasions of Staten Island allowed the British garrison and Loyalist refugees to remain a viable threat to New Jersey’s coastal communities.

The British garrison on Staten Island faced a consistent need for supplies, and Essex County was a popular target for British raiding parties because of the region’s relative agricultural abundance. General Howe would not permit his soldiers to seize property from the Loyalist population on Staten Island. Howe demonstrated his determination to enforce this policy by court-martialing two soldiers for stealing wine from an abandoned Staten Island home.<sup>59</sup> The houses of nearby Essex County, however, were not off limits and therefore became the frequent targets of hungry British soldiers and Loyalists. Philip Waldeck’s diary demonstrates the British and Hessian soldiers’ great pre-occupation with securing food. Waldeck frequently discussed the small quantity and poor quality of food available to him and complains on July 3, 1778, “Now misery sets in. Our supply of meal and bread is exhausted . . . The army receives a small

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<sup>57</sup> *New York Gazette and Weekly Mercury*, August 25, 1777 in *ASNJ*, Second Series, Vol. I, 1776-1777, 453.. The Gazette claims that 200 Americans were killed and 300 made prisoners before the rest escaped during the evening.

<sup>58</sup> Thayer, *As We Were*, 125.

<sup>59</sup> Papas, *That Ever Loyal Island*, 70.

portion of rice instead of bread.”<sup>60</sup> He found this situation especially frustrating because he believed the Staten Island population should have had a larger number of animals available for slaughter. “Nothing has disturbed me more,” he wrote in February 1778,

than that the Staten Islanders have so neglected sheep raising when every advantage is so abundantly present near their houses. Few, very few, sheep are kept and the person who has the means of grazing 400 never has more than three head. O the foolishness, of so wasting the advantage which the all-providing nature so abundantly offers. They do not know how to treasure the blessings their land has above all others . . .<sup>61</sup>

The hunger that Waldeck and his comrades faced was made worse because they believed “the rebel army,” in nearby Essex County “has an over-abundance of all foodstuffs, while we have a shortage.”<sup>62</sup> Although Waldeck wildly over-estimated the food supply available to the Continental soldiers in New Jersey, he and many soldiers firmly believed the food available in New Jersey’s nearby coastal communities would ease their distress.

Prompted by this myth, British soldiers and Loyalists looking for food began crossing into Essex County soon after the British evacuation from the New Jersey mainland. In August 1777, militia units stationed in Elizabethtown apprehended three Loyalist soldiers who had come from Staten Island to steal sheep.<sup>63</sup> This party was unusually small, but larger raids conducted by several dozen men were often successful in acquiring food or livestock from Essex households. On June 12, 1779, a party consisting of at least six Loyalists and a dozen British soldiers landed at Halstead’s Point in Elizabethtown. Although a sentry spotted the raiders and raised the alarm, the soldiers forced their way into the Halstead family home and, according to one newspaper, quickly

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<sup>60</sup> Waldeck, *A Hessian Report*, 70.

<sup>61</sup> *Ibid.*, 61.

<sup>62</sup> *Ibid.*, 74.

<sup>63</sup> William Livingston to George Washington, August 15-16, 1777, *The Papers of William Livingston*, Vol. 2, 33. Two of the captured men claimed that they hoped to desert the New Jersey Volunteers and accompanied the third member of the party under the guise of stealing sheep.

“plundered the house of almost everything portable,” even taking the owner himself.<sup>64</sup>

British and Loyalist raiders struck Essex residents with great frequency and great success from 1777 until the British army’s evacuation of New York City in 1783.<sup>65</sup>

The British threat to Essex residents’ property was not limited to small bands of soldiers or Loyalists; British officers often led hundreds of soldiers into Essex communities. In August 1777, George Washington re-deployed much of his Continental force in New Jersey to Philadelphia to defend the city against Howe’s imminent assault. As a result, New Jersey’s coastal communities were left highly vulnerable to any attack from Staten Island, and British General Henry Clinton sought to capitalize on this opportunity. Governor Livingston reported on September 7, 1777 that the departure of so many Continental troops from the state left “the Jersey shore along the Sound opposite to Staten Island in a most defenceless Condition and without a competent Guard, [it] is of easy Access to the Enemy.”<sup>66</sup> Several days later, Clinton ordered 2,000 British and Loyalist forces to invade New Jersey and gather military provisions. Like many smaller British raiding parties, Clinton believed Elizabethtown was in an ideal location for plunder and made it one of the targets in his three-pronged invasion plan. Several hundred British soldiers landed in Elizabethtown on September 12 and marched north through Newark gathering supplies. Clinton’s army remained in New Jersey for one week and successfully carried away large numbers of hogs, cattle, and other military necessities from New Jersey residents before returning to Staten Island on September 20.

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<sup>64</sup> Unnamed newspaper, June 22, 1779 in *ASNJ*, Second Series, Vol. 3, 1778, 458-459.

<sup>65</sup> *New Jersey Gazette*, May 9, 1781 in *ASNJ*, Second Series, Vol. 5, *Newspaper Extracts Relating to New Jersey*, Austin Scott ed. (Trenton: State Gazette Publish Co., 1917), 244. In May 1781, raiders from Staten Island stole forty cattle from Elizabethtown.

<sup>66</sup> William Livingston to John Hancock, September 7, 1777, *The Papers of William Livingston*, Volume 2, 65.

Clinton's invasion of Essex and other regions of eastern New Jersey proved so devastating to the local economy that the New Jersey legislature passed laws designed to ensure that enemy forces could never again steal such a large quantity of provisions from the region. Governor Livingston had pressured Washington and the Congress to maintain Continental forces in Essex during the summer of 1777, but Clinton's September raid demonstrated that this force was too small to effectively defend New Jersey's coastline. Prior to Howe's 1776 invasion, General Washington had advised the inhabitants of eastern New Jersey to move their livestock and grain inland or risk its capture by British forces which would produce economic and military "calamities . . . beyond all description."<sup>67</sup> In the wake of Clinton's highly successful foraging campaign, New Jersey's lawmakers demanded that residents abide by Washington's previous recommendation and authorized Governor Livingston and the state's Council of Safety to relocate all cattle threatened by the enemy to "Places of greater Safety," even if their owners did not give consent.<sup>68</sup> Such extreme measures were not necessary when American forces were winning the Forage War, but the changing military tide in the summer of 1777 led the government to adopt new policies to minimize property loss within regions like Essex.

Clinton's lengthy 1777 invasion created widespread economic hardship for Essex residents, but analysis of their property damage claims demonstrates that certain residents were more likely to be victimized by foraging parties. British raiding parties were drawn primarily to medium-sized farms and the property of middle-class citizens within Essex.

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<sup>67</sup> *The Pennsylvania Packet*, November 19, 1776 in *ASNJ*, Second Series, Vol. 1, 1776-1777, 230-231.

<sup>68</sup> William Livingston to General Assembly, *The Papers of William Livingston*, Volume 2, 84. Livingston cited the "late Irruption into" Essex County and Perth Amboy and the success the British forces had at stealing cattle when requesting legal authority to move cattle inland

Geography definitely played a role in this decision; the largest concentration of 100+ acre farms and wealthy residents was found in the Essex County's northernmost township of Acquackanonk. Its residents paid the highest average tax rate, but they were less accessible to British raiders because of the greater distance separating Acquackanonk from Staten Island.<sup>69</sup> Rather than assault the property of affluent farmers in Acquackanonk, British raiders instead concentrated their efforts on the less wealthy but more densely populated residents of Elizabethtown and Newark.

Although British soldiers had relatively easy access to the entire Elizabethtown and Newark populations, they focused their plundering campaigns to neighborhoods populated primarily by yeoman farmers.<sup>70</sup> Tables 3.1 and 3.2 illustrate that yeoman farmers owning between forty and eighty acres of land comprised only one-third of the Essex population, but these individuals account for one half of the county's property damage victims. Their lands represented the best available source of farm animals. Yeoman farmers did not receive the social respect usually given to farmers who owned more than one hundred acres, but their lands produced enough wealth for these men to purchase large numbers of sheep, cattle, and horses for their farms. These animals were less scattered on a forty-acre farm than on a one hundred-acre farm with abundant space for pasture. The greater concentration of these animals on yeoman farms made them

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<sup>69</sup> All information concerning economic status within Essex communities compiled from Tax Ratables, Box 99, Essex County, NJSA, Trenton. All information comes from the tax collection between in the winter of 1779 (Springfield Ward in Elizabethtown Township was is not available for 1779 so figures from 1780 were used instead), and from the winter of 1781. Acquackanonk contained only 1/7 of Essex County's population, but nearly 1/3 of all Essex farms measuring one hundred acres or more were located within Acquackanonk. The average wealth of its residents was considerably higher than other towns as a result of the greater number of large farms. Whereas the average tax rate within the county was £3.8 in 1779, the average rate within Acquackanonk was £5.5. All information

<sup>70</sup> Inventory of Damages by the British and Americans in New Jersey 1777-1782, Westfield, Ichabod Ross and Moses Jacques. The only thing stolen from Ross's farm was twenty-two sheep. Jacques was one of the wealthiest residents of Essex County and one of the few slave owners in the region, but the vast majority of the £217 worth of property he lost to the British army in June 1777 was in the form of farm animals.

ideal targets for British soldiers looking to maximize their plunder before local troops could respond to their presence.

**Table 3.1 – Average Wealth Levels of Essex Residents (All Wards but Springfield)**

Tax Rates, 1779	% of Documented Tax-Paying Population	Average Acres Owned
0-£1	24.4%	3.6 acres (304 of 438 own zero acres)
£1.05-£2	21.5%	15.1 acres
£2.05-£3	11.6%	35.2 acres
£3.05-£4	10.1%	52.0 acres
£4.05-£5	7.2%	65.8 acres
£5.05-£7.5	12.8%	89.6 acres
£7.55-£10	4.7%	103.1 acres
£10.05 - £12.5	2.9%	152.5 acres
£12.55 +	4.3%	247.1 acres

**Table 3.2 – 1777 War Damage Claimants**<sup>71</sup>

Tax Rates 1779	Number of British Plunder Victims	% of British Plunder Victims	Average Acres Owned	Average Damages Suffered	Ratio of Damages to Tax Rate
0-£1	7	9.9%	2.7 acres	£48.7	66.1 : 1
£1.05-£2	15	21.1%	15.6 acres	£106.2	74.9 : 1
£2.05-£3	14	19.7%	40.2 acres	£85.2	32.9 : 1
£3.05-£4	10	14.1%	45.2 acres	£152 - £243 <sup>72</sup>	65.6 – 43.3 : 1
£4.05-£5	9	12.0%	79.3 acres	£102.2	22.3 : 1
£5.05-£7.5	10	14.1%	92.3 acres	£70.4	12.0 : 1
£7.55-£10	2	2.8%	118 acres	£192	23.2 : 1
£10.05 - £12.5	3	4.2%	143.3 acres	£136.9	12.5 : 1
£12.55 +	1	1.4	160 acres	£217.8	14.5 : 1

British soldiers targeted impoverished Essex residents less frequently than the region's yeoman farmers or affluent citizens, but the poorest victims of British plunder throughout Essex suffered the greatest economic hardship as a result of their losses. Although the animals, clothing, and furniture owned by impoverished residents was generally worth less than that owned by more affluent individuals, the possessions seized

<sup>71</sup> Table excludes information on those not documented in 1779 tax ratables and those whose property damage claims included losses beyond the 1777 Clinton invasion or do not clearly distinguish between property lost in 1776 or 1777.

<sup>72</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Westfield, NJSA, Trenton. Corbit Scudder's listed damages totaling £1,063, a figure far greater than any other damage claim filed in Essex. Most of his reported losses were in the form of currency, not material possessions. Without his figures included in calculations the average damages total £152; if Scudder is included the average rises to £243.

from the poor represented a greater portion of their total wealth and could not be easily replaced. Table 3.2 illustrates that the economic suffering inflicted by Clinton's soldiers varied greatly, but the ratio of total property lost compared to taxes paid is highest among the region's poorest residents and more than double the overall county average. Very few victims of British plunder would be able to secure replacements for what they had lost, but the poorest victims of British raiders would face the greatest difficulty replacing lost possessions or regaining their previously meager economic standing in their communities. David Meeker, for example, was a lower-class farmer in Westfield who owned only twelve acres of land, a total far below the fifty acres necessary for a profitable farm as well as the twenty-five acres necessary for subsistence farming.<sup>73</sup> British soldiers plundered £58 worth of goods from Meeker and his wife by stealing or destroying their "one good cow," one pregnant hog, a collection of men's and women's clothing, and their feather bed.<sup>74</sup> Meeker's total estimated losses were well below the county average of £65 worth of goods, but Meeker's poverty would prevent him from easily replacing these losses and effectively reduced his standard of living for an extended period. Wealthy victims of British plunder such as Ephraim Marsh may have lost goods whose total value was well above the regional average, but the 150 acres of land owned by Marsh provided him with both the economic resources and credit necessary to replace his stolen cattle, sheep, hogs, and clothing.<sup>75</sup>

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<sup>73</sup> Economic norms found in Mark Edward Lender, "The Enlisted Line: The Continental Soldiers of New Jersey" (Ph.D. diss., Rutgers University, 1975), 120.

<sup>74</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Westfield, David Meeker.

<sup>75</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Westfield, Ephraim Marsh. Marsh lost three calves, twenty-eight sheep, two hogs, and a large amount of cloth totaling £108. By 1779, Marsh had five horses and eight cattle upon his vast farm suggesting either the British did not take all that he had or that he quickly acquired replacements.

British foraging parties were able to inflict such widespread economic damage throughout Essex County because the Continental forces stationed throughout the region were ill equipped to defend it. The Continental regiments posted within Essex between 1777 and 1780 hailed from all over America and therefore lacked the thorough geographic knowledge of the region that Essex Loyalists passed on to British raiding parties. Enemy forces knew where to strike and where to hide, and the Continental army's overall effectiveness against British raiders was further limited by the exhausted state of many of its soldiers. Private Joseph Plumb Martin was stationed in Essex between February and May 1780. He was an experienced veteran of the Continental Army accustomed to long marches and military life, but his post-war memoirs illustrate that his time in Essex was defined by a near constant state of fatigue. He recalled that he and his comrades repeatedly marched ten miles between various garrisons at Westfield, Elizabethtown, and nearby Woodbridge located just outside the western border of Essex. Martin complained that soon after arriving and serving guard duty at one locations he received orders to return to another post "as soon as I could get into my quarters, and, generally, before I could lay by my arms . . . Thus it was the whole time we lay here . . . it was Woodbridge and Elizabethtown, Elizabethtown and Woodbridge, alternately, till I was absolutely sick of hearing the names mentioned."<sup>76</sup> The exhausting nature of his guard duty coupled with the small quantity and low quality of food he received as rations undermined Martin's readiness to combat British raiding parties.

The Continental Army's effort to defend Essex residents was further hindered by the relatively small size of the regiments stationed in the region. Residents of New Jersey

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<sup>76</sup> Joseph Plumb Martin, *Private Yankee Doodle, being a narrative of some of the adventures, dangers, and sufferings of a Revolutionary soldier*, George F. Scheer ed. (Boston: Little & Brown, 1962), 174.

and all other states grew increasingly reluctant to serve as Continental soldiers in 1777 due to Congress's re-structuring of the army. The earliest recruits to the Continental Army were only required to serve one year. This short term of enlistment reflected popular Whig values concerning citizen-soldiers, but it greatly hindered Washington's military capacity as experienced soldiers abandoned the army upon the completion of their service thereby requiring Continental officers to train new soldiers throughout 1777. Congress addressed this problem by demanding all soldiers whose enlistments began in 1777 to serve a minimum of three years. The New Jersey population was slow to respond to Continental recruiters, and not even the offer of lucrative bounties compelled a sufficient number of men to voluntarily enlist. By 1778, New Jersey residents who enlisted in the Continental Army for the duration of the war were promised by the Continental Congress various articles of clothing, twenty dollars, and 100 acres of land at the war's completion. The New Jersey government offered supplemental bounties such as additional clothing, a blanket, and a cash payment of \$40 that would later increase to \$250 and \$1000 by 1779 and 1780.<sup>77</sup> As Table 3.3 indicates, the number of men serving in New Jersey's Continental regiments fluctuated between 43% and 81% of the number demanded by Congress, a turnout that Governor Livingston found unacceptable. He lamented that this poor response at a time of military necessity was the product of the "avarice, luxury, and dissipation" of his state's population.<sup>78</sup>

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<sup>77</sup> Lender, "The Enlisted Line," 79, 90.

<sup>78</sup> *Ibid.*, 90.

**Table 3.3 -- New Jersey Regimental Quotas and Capacity** <sup>79</sup>

Year	Quota Regiments	Quota Men	Actual Men	Percentage of Quota
1777	4	2,720	1,408	51.8
1778	4	2,088	1,586	76.0
1779	3	1,566	1,276	81.5
1780	3	1,566	1,105	70.6
1781	2	1,522	823	54.1
1782	2	1,522	660	43.3
1783	2	1,522	676	44.4

George Washington and the Continental Congress responded to the shortage of New Jersey soldiers by pressuring the state's government to establish a draft, and the resulting legislation forced dozens of Essex residents into the Continental Army. Washington had alluded to the need for a draft in 1776, but in 1777 he directly called for it. He asserted that "the Government must have recourse to coercive measures," to keep the Continental Army in the field or else "there is an end of the Contest, and opposition becomes vain."<sup>80</sup> The idea of compulsory military service was not popular among Essex residents. It violated Whig ideology's embrace of virtuous citizen-soldiers, and Newark's town committee labeled drafting a "disagreeable measure" when the Revolution began in 1775.<sup>81</sup> Livingston, however, shared Washington's assessment. Writing under the pseudonym "Adolphus," the governor argued "I never heard a man of sense deny that every state hath a right to demand the personal service of its members or

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<sup>79</sup> Ibid., 74.

<sup>80</sup> Ibid., 86.

<sup>81</sup> Ibid.

an equivalent whenever the public weal demands it.”<sup>82</sup> With his support the legislature established a draft in 1778 that divided all militia units into “classes” of eighteen men each, which, if called upon, must provide one man to serve in the Continental Army for a period of nine months.<sup>83</sup>

New Jersey’s draft law served as a temporary solution to the Continental Army’s need for recruits, but it did little to restore security in Essex County or end its inhabitants’ aversion to Continental service. The draft allowed New Jersey to come the closest it ever would be to fulfilling Congress’s quota for Continental troops, and fifty-five men from Essex were forced into service under its provisions between May and June of 1778. Unlike three-year recruits or men who enlisted for the duration of the war, these conscripted soldiers left the army soon after they acquired the skills and discipline necessary to be a soldier thereby hindering the development of a long-term, professional American army.<sup>84</sup> Some of the Essex draftees deserted their regiments well before they completed their nine-months of service. Aaron Tichenor of Newark stayed with his company for only six months before deserting in December 1778, and Samuel Taylor actually deserted his Continental company on more than one occasion.<sup>85</sup> Taylor reported from the Essex militia to Captain Meeker’s company as ordered in May of 1778, but he abandoned it on December 17. Taylor actually returned to his company soon after his

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<sup>82</sup> *Ibid.*, 86-87.

<sup>83</sup> *Ibid.*, 87-90.

<sup>84</sup> Within Essex County, twenty-six of the eighty-seven tax-paying residents who served as Continental soldiers between 1777 and 1780 were drafted into the army. These figures were reached by cross-checking the 1779 tax ratables with the military information found on these men in the (Revolutionary War), Service Abstracts [Cards] at New Jersey’s state archives in Trenton. If the data pool is expanded to include non-taxpayers who likely lived in Essex based on militia service records or judicial records, the total number of drafted men increases to sixty-one men out of 223 total Continental soldiers enlisting from Essex (including drifters). This would drop the percentage of drafted men serving from Essex closer to one quarter of all soldiers (27%).

<sup>85</sup> “Tichenor, Aaron,” (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

flight, but he deserted once again on February 1, 1779 and never went back.<sup>86</sup> Despite the military peril facing Essex County, many of its residents staunchly opposed the state's draft law and celebrated the legislature's decision to not renew it in 1779.

The shortage of sufficiently trained Continental soldiers available to defend Essex County between 1777 and 1780 meant the region's defense fell heavily on local militia units. New Jersey's militia, however, was too disorganized and inefficient to provide a military force that could effectively deter or defeat British raiders targeting the Essex population. According to historian John Anderson, the state legislature did not effectively regulate and reform the militia for the first six years of the conflict which allowed many men to avoid the military service that both historical tradition and military circumstances dictated as necessary.<sup>87</sup> The public and private writings of New Jersey's political and military leaders demonstrate that they could not depend on the militia as they had during the Forage War. William Livingston repeatedly expressed his frustration with the low number of men who reported for duty to defend the New Jersey coast from Staten Island raiders. He was especially distraught by the poor militia turnout in September of 1777 when a British response to General Sullivan's failed assault on Staten Island seemed imminent.<sup>88</sup> Livingston ordered 1,400 militiamen to take up arms and

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<sup>86</sup> "Taylor, Samuel," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>87</sup> John R. Anderson, "Militia Law in Revolutionary New Jersey," *Proceedings of the New Jersey Historical Society*, Vol. 77, 1959, 14. Anderson states that by the end of 1777 militia laws "had reached such a state of hopeless confusion that one of the last laws passed for that year was entitled 'A Supplementary Act to an Act intitled an Act to explain and amend an Act intitled An Act for the better regulating the militia and the Supplemental Act thereto.'"

<sup>88</sup> William Livingston to John Hancock, September 7, 1777. *The Papers of William Livingston*, Volume 2, 65.

defend the state's northeastern shore, but to his self-professed "Mortification" only 400 men turned out for duty.<sup>89</sup>

Widespread militia delinquency continually plagued Livingston and military leaders attempting to defend regions like Essex County. As late as 1780, three years after the British began their campaign of plunder and intimidation against the Essex population, Livingston told the state Assembly that New Jersey's coastal communities were not receiving the militia assistance to which they "appear clearly entitled" and at "Mercy of the Enemy."<sup>90</sup> In May 1779, General John Nielson of the New Jersey militia reported to Elizabethtown expecting to find a large band of soldiers awaiting his arrival. To his dismay, Nielson could not find the militia units he expected, including one company of the Essex County militia. He was frustrated, but not surprised. "The whole of the militia that are ordered can hardly ever be expected to turn out," he wrote Livingston.<sup>91</sup> Despite the ongoing threat of British incursions, the men of Essex County displayed a very lax attitude toward militia service. When Nielson dispatched men to locate the missing militia units, he soon discovered that the Essex militiamen were not at the rendezvous spot in Elizabethtown because they were at a tavern in a neighboring town several miles away.<sup>92</sup>

Several factors contributed to the sharp decrease in the New Jersey population's enthusiasm for militia service following their celebrated performance during the Forage War. One of the most common explanations for the failure of militia members to report

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<sup>89</sup> Ibid.

<sup>90</sup> William Livingston to the Assembly, March 13, 1780. *The Papers of William Livingston*, Volume 3, January 1779-June 1780, Carl E. Prince, Dennis P. Ryan, Brenda Parnes, Mary Lou Lustig eds.. (New Brunswick, NJ: Rutgers University Press, 1986), 326. Livingston spoke specifically of defending the state's frontiers which clearly includes Essex communities so close to British lines.

<sup>91</sup> John Nielson to William Livingston, May 15, 1779, *The Papers of William Livingston*, Volume 2, 89. Nielson estimated that officers could expect no more than two-thirds of their militiamen at any time.

<sup>92</sup> Ibid.

was that they were too busy working on their farmland. Several days of militia service in the spring, summer, or fall could prevent a farmer from tending to his crops at a crucial time in the harvest cycle and ruin months of arduous agricultural labor. General Neilson acknowledged the significant role that agricultural responsibilities played in the poor showing by his militiamen in 1779 and claimed he could never expect a high militia turnout at any time but “much less at this busy Season” in May.<sup>93</sup> Despite his recognition of militiamen’s numerous economic responsibilities, their failure to report for duty left him “certain” that “we shall not be in a situation to afford that Protection to the Extensive shore of Essex.”<sup>94</sup>

New Jersey residents also avoided militia service by exploiting several provisions in the state’s militia law that made delinquency easy. Although New Jersey’s Provincial Congress changed the colony’s existing militia law in June 1775 to “direct” all men to enroll in their county militia rather than merely “recommending” they do so, this new militia law and subsequent laws allowed men to avoid service by hiring a substitute or paying a small fine.<sup>95</sup> By incorporating such provisions into their legislation, both the colony’s Provincial Congress and the state’s legislature provided legal means for men to evade the militia duty that was theoretically the obligation of all male citizens, especially at times of military peril. Washington and Livingston frequently expressed their annoyance with the legislature’s legal protection of militia delinquents. The general wanted New Jersey to enact a new militia law requiring “every man capable of bearing arms . . . turn out, and not buy off their service by a trifling sum. We want men, not

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<sup>93</sup> Ibid.

<sup>94</sup> Ibid.

<sup>95</sup> Lender, “The Enlisted Line,” 27.

money.”<sup>96</sup> Livingston shared Washington’s assessment and argued that a militia system allowing fines and substitutes was ridiculous and “may finally terminate in our utter Destruction.”<sup>97</sup> Despite pressure from Continental officers and Livingston, the New Jersey legislature was reluctant to alienate its constituents by reforming the militia laws that allowed them to avoid service. According to the governor, the legislators were “so unduly influenced by the Fear of disobeying their Constituents,” especially the Quakers in western New Jersey whose pacifism prohibited militia service, “that they dare not exert themselves with the requisite Spirit of the exigencies of war.”<sup>98</sup> Instead, inadequate militia service remained a perpetual problem throughout the Revolution. Livingston believed as late as 1780 that all attempts by the legislature to reform the militia had been “fruitless.” He chastised lawmakers for spending “as much time in framing a Militia Bill, as Alexander would have required to subdue Persia” but making “such a ridiculous business of it, as not to oblige a single man to turn out.”<sup>99</sup> Since New Jersey lacked both sufficient numbers of Continental soldiers and proper militia reform, the population of Essex County lived in a state of perpetual danger throughout the conflict.

New Jersey law not only provided men with a legal means to avoid militia service by hiring a substitute or paying a fine, but the size of the fine proscribed by lawmakers was too small to effectively compel the unwilling into service. At the start of the war, the maximum fine that could be assessed for militia delinquency was less than £1, and the failure of the legislature to adequately increase this penalty to account for the

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<sup>96</sup> John R. Anderson, “Militia Law in Revolutionary Jersey,” 10. General Israel Putnam shared his sentiments and wrote to Livingston “at a time like this, no sum can be really be equivalent” to a well-manned militia.

<sup>97</sup> Lender, “The Enlisted Line,” 35.

<sup>98</sup> *Ibid.*, 36.

<sup>99</sup> *Ibid.*

inflation of Revolutionary currency allowed men of all social classes to easily avoid service.<sup>100</sup> In some cases, entire militia companies totaling eighty men opted to pay fines rather than serve, and even within war-torn Essex County large numbers of men exploited the shortcomings of militia law rather than take up arms to defend their communities from enemy threats.<sup>101</sup> General Clinton's September 1777 invasion of New Jersey demonstrated the danger posed by the British army and Tory militias on Staten Island, but in the wake of this invasion thirty-five men ignored orders to provide militia service in October and November of that year.<sup>102</sup>

The economic diversity of these penalized Essex residents indicates that militia delinquency was not the privilege of the wealthy; men from all social classes could exploit New Jersey's militia laws and avoid service. Essex County's militia captains fined nearly all those who failed to report for duty in October and November of 1777 between \$80 and \$100 Continental currency. Such a penalty posed no problem for wealthy delinquents owning over one hundred acres such as Ben Shotwell and Moses Tucker, but the depreciation of Continental currency made delinquency fines affordable to the impoverished as well. William Livingston estimated that Continental bills were worth only one-third their face value compared to specie, and poor individuals utilized these increasingly worthless bills as a means of paying their fines for militia delinquency. Both poor farmers and landless men such as William Townsley of Elizabethtown or

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<sup>100</sup> *Ibid.*, 33.

<sup>101</sup> *Ibid.* In September 1777, General Philemon Dickinson of the Continental Army complained to William Livingston that no one from Trenton turned out to meet the British invasion of the state. Livingston, however, could legally do nothing as the men paid their fines and did not violate the law.

<sup>102</sup> This number was reached by counting all militia delinquency fines found in military information cards. Court records might include other cases and increase the total. This number does include individuals not listed on the 1779 tax ratables who were likely teenagers.

Gilbert Smith of Newark had little disposable income available, yet both chose to pay these fines rather than provide militia service in the fall of 1777.<sup>103</sup>

The Essex population's declining passion for military service directly contributed to the growing danger throughout the region. The military weakness of the region encouraged British soldiers and their Loyalist allies to increase their activity within Essex and expand their list of targets to include both residents' personal property and residents themselves. British raiders believed that kidnapping Essex inhabitants would provide them with prisoners to exchange for captured soldiers or Loyalists while also eroding the population's commitment to the Revolution. In the winter of 1779, General Clinton ordered his troops to kidnap the most valuable target within Essex – Governor William Livingston. Clinton figured that the loss of Elizabethtown's most prominent citizen and the state's most powerful figure would plunge the state's government into disorder and demonstrate the relative impotence of the military forces charged with Livingston's protection. On the evening of February 25, 1779, nearly 1,000 troops under the command of Colonel Thomas Sterling crossed into Elizabethtown to kidnap the governor and secure military provisions from the local population. Fortunately for the region's inhabitants, the large British party could not conceal the sound of their oars as they crossed the Arthur Kill and landed near Henry Woodruff's farm on the coast. An American patrol quickly notified Continental Army General William Maxwell of this British force's arrival. Maxwell's aide-de-camp, Major Aaron Ogden, was an Elizabethtown resident and volunteered to reconnoiter the region where the British intruders were first detected. British soldiers surprised Ogden while he scouted the

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<sup>103</sup> William Livingston to the Assembly, November 7, 1777. *Papers of William Livingston*, Volume 2, 105-106. All economic information derived from Tax Ratables, Box 99, Essex County, NJSA, Trenton.

territory on horseback, and although Ogden suffered a severe bayonet wound during this assault he managed to escape and spread the alarm throughout the town.<sup>104</sup>

News of the arrival of a substantial number of British troops traveled quickly and soon reached the governor's mansion, Liberty Hall. Although the Continental envoys dispatched to the Livingston home learned that the governor was visiting friends several miles away and safe from harm himself, his wife and daughters were present and would soon face the large band of British troops. When Sterling's force arrived, Livingston's family offered no resistance and allowed his soldiers access to the house. Susan Livingston, one of the governor's daughters, demonstrated remarkable guile as enemy soldiers invaded her home and single-handedly prevented many important government papers from falling into British possession. As they ransacked the house and governor's office, Susan Livingston steered their attention away from a box of confidential state papers. She convinced the intruders that a drawer of worthless correspondence previously seized by New Jersey troops contained the valuable political and military intelligence they sought.<sup>105</sup> Her quick thinking and Colonel Elias Dayton's Continental troops' fast response prevented the British from escaping with the governor's papers. The British soldiers did manage to slip back to Staten Island, however, with a large number of cattle seized from Elizabethtown farmers.

The likelihood of destructive British raiders entering Essex communities to plunder, intimidate, and kidnap local residents increased significantly during the winter of 1780. British forces were able to cross from Staten Island to Essex in boats with relative ease between 1777 and 1779, but the severity of the 1780 winter allowed them to

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<sup>104</sup> Thayer, *As We Were*, 126-128.

<sup>105</sup> *Ibid.*, 128-129.

effortlessly do so. The first months of 1780 brought the coldest and most deadly winter that the Revolutionary generation had ever experienced. Joseph Plumb Martin recalled that the weather he endured while stationed at Morristown was “cold enough to cut a man in half,” and soldiers throughout northeastern New Jersey lacked all manner of provisions because supply wagons could not travel through the several feet of snow that had accumulated on the roads.<sup>106</sup> The severity of the weather not only led to food shortages and severe health problems among the Continental soldiers stationed in Essex, but it also made their service more dangerous because all major waterways in New Jersey were frozen with sheets of ice eighteen to twenty-four inches thick.<sup>107</sup> Rather than provide even a semblance of protection, the Arthur Kill became an ice bridge in 1780 allowing enemy forces to simply walk from Staten Island into Essex to conduct their raids.

By 1780 the men and women of Essex knew through bitter experience that British soldiers’ sought to kidnap local residents and to steal their property, but the devastation inflicted by British and Loyalist soldiers throughout that winter was unlike anything Essex residents had experienced since the war began. Passionate Whig authors had classified the behavior of the British army throughout the conflict as uncivilized and inhumane, and the tactics employed by British soldiers during their frequent winter raids provided additional evidence for American propagandists. No person or property seemed off limits to the British forces that travelled from New York City or Staten Island into Essex. The most destructive of these raids occurred on the night of January 25 when two British armies ravaged the inhabitants of both Elizabethtown and Newark. Observers

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<sup>106</sup> Martin, *Private Yankee Doodle*, 172. Martin claimed there was two to three feet of snow on the ground while Continental Army surgeon James Thacher claimed the roads had as much as four to six feet of snow, Thacher, *Military Journal*, 185.

<sup>107</sup> Pierson, *Narratives of Newark*, 209.

estimated that approximately 150 to 400 British soldiers entered Elizabethtown between 10:00 pm and 11:00 pm that evening, and the Continental guards detected no sign of them before they struck. One report in the *New Jersey Gazette* described the British soldiers' assault as "well concerted, and as well executed; they evaded our guards and were in town before anyone knew it."<sup>108</sup> Once in the town, the invaders kidnapped between ten and twelve Elizabethtown residents, and in what Washington labeled as a "disgrace" to the Continental Army, they also captured between forty and fifty Continental soldiers and officers. In addition to carrying valuable property and dozens of soldiers and civilians back to Staten Island, British soldiers also maliciously set fire to several residents' homes and public buildings. By the time this British force returned to enemy lines, the fires they set in the Elizabethtown courthouse and the First Presbyterian Church had burned both buildings to the ground.<sup>109</sup>

While one party of British soldiers and Loyalists swept through Elizabethtown on the evening of January 25, 1780, five hundred British regulars similarly travelled to Newark under the cover of darkness and conducted themselves with equal infamy. During their brief incursion into the town, British soldiers not only plundered local homes and barns but also attacked some of the town's most prominent landmarks and citizens. British troops entered the town undetected and quickly targeted Newark's Academy, a school that had been built in 1774 but had served as a barracks and hospital for soldiers for much of the war. One report stated that a large band of British troops marched to the Academy "where they surprised and took about fifteen men, being all the troops that

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<sup>108</sup> *New Jersey Gazette*, January 29, 1780, found in Hatfield, *History of Elizabeth*, 480.

<sup>109</sup> Hatfield, *History of Elizabeth*, 482.

were on duty in the town . . . [and] they then set fire to the academy.”<sup>110</sup> Citizens were shocked to see their new school reduced to ruins, but they were even more shocked by the invaders’ treatment of Joseph Hedden, Jr., one of the town’s most prominent public officials. Hedden served the Revolution as a justice of the peace and supervised the seizure and sale of Loyalist property within Newark (see Chapter 4). British forces were familiar with Hedden’s work for the state government and seemingly enjoyed humiliating and physically abusing him. Hedden was sick in bed when the British soldiers arrived at his house. They dragged the fifty-one old year public servant from his sickbed and out of his home clothed in nothing but a nightshirt to protect him from the dangerously cold temperatures. They marched him and several other prisoners from the town at bayonet point and made Hedden walk several miles barefoot through the snow to Paulus Hook. When they reached the coast, Hedden’s captors forced him to walk across the frozen channel that separated New Jersey from New York City. Upon reaching enemy territory, Hedden was promptly imprisoned at the notorious Sugar House.<sup>111</sup> New Jersey’s newspapers condemned the British soldiers’ treatment of both Hedden and his wife and reported that both were left scarred as a result of the invasion. One report claimed “Justice Hedden is so frost-bit, that it is thought he will lose both his legs.” The author also reported that Hedden’s wife received “two wounds with a bayonet, one in the face, the other in her breast” for daring to beg her husband’s captors to allow her to properly dress him for his journey.<sup>112</sup>

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<sup>110</sup> *New Jersey Journal*, February 2, 1780.

<sup>111</sup> Unnamed newspaper from February 2, 1780 in *ASNJ*, Second Series, Vol. 4, *Extracts from America’s Newspapers*, November 1, 1779-September 30, 1780, William Nelson, ed. (Trenton: State Gazette Publishing Co., 1914), 166-167 and “Hedden, Joseph Jr.,” (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>112</sup> Unnamed newspaper from February 2, 1780 in *ASNJ*, Second Series, Vol. 4, 1779-1780, 166-167.

The damage inflicted during the British army's January 25, 1780 raid and other winter assaults on Essex strengthened its residents' deep hatred towards Great Britain, but it also instilled feelings of pessimism and doubt absent since the British evacuated in January 1777. New Jersey newspapers continued to attack the character of British troops and labeled those participating in the January assault as "mighty veterans of fallen majesty" and savages committing "barbarous acts of impiety" upon civilians.<sup>113</sup> Privately, however, many residents had sufficient cause to wonder if independence was obtainable or worth the heavy cost they were paying. Rampant inflation wreaked havoc on the local economy. The state government and its military forces could not protect residents or their property from enemy raiders nor could they drive the British garrison from Staten Island. William Alexander's January 1780 assault on the island was an unmitigated disaster characterized by undisciplined looting and missed military opportunities.<sup>114</sup> The British had plundered thousands of pounds worth of assets from the people of Essex, but Americans looking for signs of a pending victory would be hard pressed to find them in Essex by the spring of 1780 as the conflict entered its fifth year.

The Revolution had taken an immense emotional toll on the Essex population. They lived with a constant fear of imminent British attacks, and as they travelled throughout their communities they saw tangible signs of what the British army had taken from them. The remains of the Newark Academy and Elizabethtown's First Presbyterian Church were a reminder of the British army's unchecked destruction. Artisans and

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<sup>113</sup> Ibid.

<sup>114</sup> Hatfield, *History of Elizabeth*, 478-481. The Continental Army attack on Staten Island occurred on January 15, 1780 and involved 2,500 soldiers and militia members. Although the Americans outnumbered the British they could not drive them from their defensive positions. The Continental troops quickly retreated with many suffering from frostbite, and Washington's order that the militia only seize property that could serve a military purpose was widely disregarded.

farmers struggled to provide for their families after British raiders stole the tools and draught animals needed for their professions. Lastly, the British army's successful capture of dozens of Essex residents placed a heavy emotional burden on their friends and families. They typically waited months, and in some cases years, for the Congressional delegates and British officers to agree to the prisoner exchanges that would allow their loved ones to return home, and some prisoners, unfortunately, never were reunited with their families.<sup>115</sup> The deplorable conditions of British prisons like the Sugar House led to the death of several imprisoned Essex men, including Joseph Hedden Jr. Hedden's prolonged exposure to the frigid winter temperatures on the night of his capture and the horrible treatment he received while in British custody caused his health to decline during his imprisonment and eventually brought about his death on September 27, 1780.<sup>116</sup> Hedden's wife never saw her husband again after that fateful night when British soldiers dragged him from their home. The grief she felt over his lengthy absence and eventual death was emblematic of the grief many Essex residents felt over the mounting losses that the British inflicted on Essex communities.

The Reverend James Caldwell of Elizabethtown illustrated the growing distress among the Essex population in a February 1780 letter to General Nathaniel Green. Caldwell was an ardent supporter of the Revolution who served as both a chaplain to the Continental army and as a deputy quartermaster general. He was a popular figure within his community and quickly tended to the spiritual needs of his congregation after British soldiers burned down their church. On the first Sunday after the fire, Caldwell preached

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<sup>115</sup> (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, New Jersey State Archives, Trenton. Essex residents captured in battle or during British raids on the region were typically imprisoned between two and six months before their release, but some individuals spent years waiting for their release through a prisoner exchange.

<sup>116</sup> Atkinson, *History of Newark*, 97-98.

from first book of Peter and Galatians instructing his parishioners that their faith would be “tried with fire” and that they would “reap a harvest if we do not give up.”<sup>117</sup> He encouraged them to strengthen their commitment to the Revolution even though it placed heavy economic and emotional burdens upon them. Despite his public statements promoting faith and optimism, Caldwell privately feared for the current state of his community and its future in the conflict. He confessed to General Nathaniel Green in February 1780, “I am so afflicted with state of our poor Frontier that I can hardly mention it. Alas! Alas! are they to be so sacrificed . . . our poor Town & worthiest Inhabitants are now reduced to the greatest distress. I am too much affected with the subject to write upon it.”<sup>118</sup>

Without doubt, the brutality of British raids and the destruction they left in their wake caused similar feelings of despair amongst the people of Essex. By 1780, British soldiers believed such tactics would erode Essex citizens’ faith in the Revolutionary government and its ability to keep them safe. In June of that year the British commanders would test the Essex population’s commitment to independence with another large-scale invasion of their communities, and the fate of the Revolution hung on the people’s resilience and their willingness to fight.

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The British Army created havoc within Essex County between 1777 and 1780. Following the Continental Army’s stunning victories at Trenton and Princeton, the men of Essex eagerly took up arms to expel the British force that had occupied Elizabethtown

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<sup>117</sup> Unnamed newspaper from February 2, 1780 in *ASNJ*, Second Series, Vol. 4, 167-168. Caldwell reportedly preached on “1. PET. i. 7 and GAL. vi. 9” and led his parishioners in a hymn concerning fire and the triumph of God’s faithful children.

<sup>118</sup> James Caldwell to General Green, February 12, 1780, “Caldwell (James) Letters, 1776-1785” in *Proceedings of the New Jersey Historical Society*, Volume 60, 1942, 249-253.

since December of 1777 and harass British raiders seeking forage within their communities. This military enthusiasm, however, waned after the British army abandoned New Jersey, and the ongoing dangers posed by British forces on nearby Staten Island did not lead men to provide the ongoing military service that was needed to protect Essex. Both small and large raiding parties crossed the Arthur Kill with relative ease and stole large quantities of food, tools, and draught animals from Essex residents as well as capturing numerous citizens to strengthen their negotiating position for prisoner exchanges. These persistent assaults did not motivate Essex men to become the vigilant citizen-soldiers which Whig authors frequently praised, and the victims of British raiders were just as likely to avoid military service as citizens who were not exposed to these incursions. The British army increased both the frequency and devastation of their assault on Essex in the winter of 1780 and targeted both prominent men and landmarks within Essex communities. The military success which the British army enjoyed within Essex instilled great optimism within its generals, and in June of 1780 they organized another invasion of Essex that they believed could destroy the Revolutionary government and restore British authority to the state.

#### **Chapter Four -- “Incorrigible Animals”: Severing Ties with Essex Loyalists, 1777-1780**

On March 17, 1776 the Continental Army’s eleven-month siege of Boston came to an end as General William Howe and nearly ten thousand British soldiers abandoned the city and sailed for Nova Scotia. As colonists throughout America celebrated the departure of the much-despised British garrison, their elected leaders in Philadelphia instructed them to increase their efforts against another dangerous threat to the Revolution – Loyalists. Howe’s fleet carried over one thousand Boston Loyalists to Nova Scotia, but individuals opposed to either Congress’s claim to authority or its policies could still be found throughout the American colonies. On March 14, 1776, Congressional delegates recommended that all provincial assemblies or councils of safety immediately disarm all individuals “notoriously disaffected to the cause of America” such as opponents of the Continental Army’s recent campaigns “against the hostile attempts of the British fleets and armies.”<sup>1</sup> As Washington prepared Manhattan’s defenses in anticipation of a British assault he commended the residents of Suffolk, New York for the great “zeal and activity” they displayed while enforcing this resolution against those he labeled the “abominable pests of Society.”<sup>2</sup>

Both the Continental Congress and the new independent government of New Jersey desired stronger measures against disaffected Americans in the summer and fall of 1776. The British army’s successful invasion of New Jersey, however, prevented the state’s government from prosecuting suspected Loyalists under new legislation. One

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<sup>1</sup> James H. Kettner, *The Development of American Citizenship, 1608-1870* (Chapel Hill: University of North Carolina Press, 1978), 179.

<sup>2</sup> George Washington to the Committee of Suffolk, NY, May 16, 1775, *The Writings of George Washington*, Vol. IV, 1776, Editor Worthington Chauncey Ford (New York: G.P. Putnam’s Sons, 1889), 83-84.

week before voting to declare American independence, the Continental Congress resolved that all colonists who adhered to or fought for the British government were guilty of treason and should be punished by their provincial legislatures.<sup>3</sup> The representatives in New Jersey's first independent Legislative Assembly shared this conviction, but the prosecution of the state's domestic enemies could not begin in the fall of 1776 because many of the state's military and political leaders had retreated before the advancing British army. The state's newly elected governor, William Livingston, was missing for nearly one month from mid-December to mid-January leaving John Hancock and the Continental Congress unsure of who, if anyone, was the acting executive for the state.<sup>4</sup> General Alexander McDougall of the Continental Army described New Jersey on December 22 as "totally deranged, without Government, or officers civil or military in it that will act with any Spirit."<sup>5</sup> As a result of the government's impotence, Loyalists throughout the state not only grew bolder in their counter-Revolutionary activities but also grew in number as more residents sought protection from the British and accepted Howe's terms for amnesty.

The relative comfort enjoyed by Essex Loyalists at the close of 1776, however, would not last long. The Continental Army's and New Jersey militias' stunning victories in the Forage War convinced General Howe to abandon his positions in Elizabethtown and Perth Amboy in January and June 1777. These retreats restored both the state government's interest in and ability to prosecute the disaffected residents of Essex County. The primary question facing civil and military leaders, however, was how

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<sup>3</sup> Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Company, Inc., 1969), 36.

<sup>4</sup> *The Papers of William Livingston*, Volume 1, June 1774-June 1777, Carl E. Prince and Dennis P. Ryan, ed. (Trenton: New Jersey Historical Commission, 1979), 195.

<sup>5</sup> *Ibid.*

forceful they should be in their dealings with suspected Loyalists. Heavy-handed policies towards Essex residents who remained with the British during their 1776 occupation or displayed questionable allegiance afterwards could drive moderate or apolitical citizens from the war effort. A timid response against alleged Loyalist threats, however, also jeopardized the Revolution by allowing disaffected residents to continuously undermine the state government's restored authority within the region. This chapter illustrates that Revolutionary leaders granted Essex County Loyalists a generous period of time to demonstrate their support for American independence and their desire to remain a part of their communities. The vast majority of Loyalists from the region, however, chose to abandon their homes and retreat with the British army. Essex Loyalists' continued allegiance to the British government and their efforts to undermine the Revolutionary war effort instilled a deep-seated hatred amongst their former friends and neighbors. As a result, between 1777 and 1780 Essex residents participated in escalating attacks against local Loyalists' character and property in order to remove both the threat they posed to American independence and their lingering connection to their former communities.

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The British army's evacuation of Elizabethtown on January 8, 1777 gave those Essex residents who had sought safety in nearby communities such as Basking Ridge, Chatham, or Morristown the opportunity to safely return to their homes.<sup>6</sup> They were undoubtedly enraged by the widespread property damage and theft committed by enemy troops during their one-month occupation and eager to seek retribution. As discussed in Chapter 3, dozens of men took up arms to battle British soldiers in the Forage War.

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<sup>6</sup> Theodore Thayer, *As We Were: The Story of Old Elizabethtown* (Elizabeth, NJ: Grassman Publishing Company, 1964), 121.

Other residents targeted the homes and businesses of several men who had remained during the British occupation. Such mob activity, however, was not widespread and was limited only to men who were known to have supported the British war effort prior to their invasion of New Jersey and unlikely to have remained neutral or passive throughout December 1776.<sup>7</sup> A patriot mob exacted a heavy toll from John Richards of Second River, a settlement located north of Newark, in January 1777. Richards had been indicted by the New Jersey government in 1776 and placed on parole within a two-mile radius of his home after paying a £1,000 bond to the state. Following the British evacuation, local residents attacked his property and stole numerous sheep, oxen, horses, and cows from his farm. In addition to these animals, the mob dealt Richards a severe economic blow by carrying off seven young African slaves that constituted an abnormally large slave force for this region.<sup>8</sup> Similar retribution was also visited upon Robert Drummond of Acquackanonk. Drummond was a merchant who had served as a political and military leader in Essex County prior to July 1776. His commitment to reconciliation with Great Britain, however, led him to oppose New Jersey's independence and resign his commission in the militia. His former constituents assumed his active

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<sup>7</sup> Bradley Chapin, *The American Law of Treason: Revolutionary and Early National Origins* (Seattle: University of Washington Press, 1964), 73-74. The restricted use of mob violence against those who vocally opposed independence prior to the British invasion rather than all those who remained during the British occupation was in accordance with legal traditions concerning treason and armed invasion. Bradley Chapin argues that "the mere act of remaining in an area occupied by the enemy was not treason" if residents remained "passive." Only the voluntary giving of aid such as enlisting in British armed forces or accepting a civil office amounted to treason.

<sup>8</sup> *New York Gazette & Weekly Mercury*, January 27, 1777 found in *Archives of the State of New Jersey (ASNJ), Second Series, Vol. 1, Extracts from American Newspapers, 1776-1777*, William S. Stryker, ed. (Trenton: The John L. Murphy Publishing Co, Printer, 1901), 271. The time period of early to mid January was determined by the publication date of these accounts of events.

support for the British invasion, and in January 1777 a mob looted his store of over £1,000 worth of goods.<sup>9</sup>

In addition to mob violence against known Loyalists, the British evacuation of Elizabethtown placed all Essex residents who remained with the enemy or accepted Howe's generous amnesty offer at the mercy of the returning Revolutionary authorities. New Jersey's state government was still in disarray in January 1777, and the ultimate responsibility for dealing with these individuals fell to local military leaders. Although Washington detested Loyalists and the threat they posed to American independence, he allowed neither his personal feelings nor popular desires for vengeance to shape his policies on suspected and known Loyalists. Like General Howe before him, Washington instead embraced a moderate approach concerning the disaffected and sought to win as many converts to his cause as possible. Washington had long believed that loyalty oaths from citizens were necessary during the war as they would force every man "to declare himself, that we may distinguish friends from foes."<sup>10</sup> He therefore ordered his officers to administer loyalty oaths throughout New Jersey and offered military protection to all state residents regardless of previous behavior. Washington proclaimed on January 25, 1777 that all those "influenced by inimical motives, intimidated by the threats of the enemy," or "deluded" by Howe's amnesty proclamation had thirty days swear such an oath. If they failed to do so and still remained in the state, they would be regarded as "adherents to the King of Great Britain, and treated as common enemies of the American

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<sup>9</sup> Ibid.

<sup>10</sup> Harold M. Hyman, *To Try Men's Souls: Loyalty Tests in American History* (Westport, CT: Greenwood Press, 1959), 74-75.

States.”<sup>11</sup> Washington’s proclamation provided a much-needed “cool down” period to a volatile situation. The thirty-day period allowed people’s anger concerning the widespread property damage caused by British soldiers to partially subside. In so doing Washington provided both a safe environment and ample time for those who were truly uncertain to choose which side they would ultimately support in the conflict.

Washington’s reliance on allegiance oaths was not a novel solution to the problem of Loyalists in the region, but many Essex residents were upset by the leniency and possible illegality of the general’s proclamation. Washington received numerous petitions from individuals questioning his willingness to forgive and forget the behavior of men who had abandoned the war effort and accepted the British occupation. Colonel Elias Dayton of the Continental Army reflected their sentiment when he wrote to fellow Elizabethtown resident and Congressional delegate Abraham Clark, “some of our Eliz Town Gentry want the Gen’l to alter his Proclamation.”<sup>12</sup> Clark shared their sentiments and took the issue to the floor of the Congress when it was clear that Washington would not amend his decision to protect all oath-takers. Clark’s outrage was fueled by his steadfast commitment to Whig ideology, and he not only wanted to punish those who assisted the British during their destructive occupation but also challenged Washington’s authority to issue such a proclamation. Clark believed Washington’s proclamation had violated the principles of the Revolution and undermined the sovereignty of New Jersey’s citizens and government. New Jersey law stipulated that all civil and military officers of the state needed to renounce their allegiance to the British government, and this law also

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<sup>11</sup> Ibid., 79-80 and “Proclamation, January 25, 1777” *The Writings of George Washington from the Original Manuscript Sources*, Volume 7, John C. Fitzpatrick ed. (Washington DC: US Government Print Office, 1931), 142.

<sup>12</sup> Ruth Bogin, *Abraham Clark and the Quest for Equality in the Revolutionary Era, 1774-1794* (Rutherford: Fairleigh Dickinson University Press, 1982), 25-29.

gave justices of the peace the authority to demand oaths of allegiance, at any time, from all men they suspected of being a danger to the state government. Clark informed John Hart, Speaker of the New Jersey Assembly, that he was “alarmed with General Washington’s Procl.” and encouraged Hart to “not tamely submit to authority to the Controul [sic] of a power unknown in our Constitution,” namely General Washington.<sup>13</sup> In February, Clark introduced a motion to prevent Washington from “interfere[ing] with or oppos[ing] the free exercise of Legislative or Executive powers of any state,” but to his displeasure this motion was defeated. Unfortunately for Clark, this would be the first of many political defeats he would suffer in his lengthy campaign against the growing power of the Continental Army in New Jersey.<sup>14</sup>

The legal restraint and patience offered through Washington’s January proclamation concerning Loyalists, however, actually lasted much longer than the thirty-day period he prescribed. Essex residents interested in the swift punishment of suspected Loyalists were further disappointed by the New Jersey legislature’s decision to offer its own olive branch to one-time domestic enemies to the Revolution. Like Washington, Governor William Livingston despised the behavior of Loyalists and the threat they posed to his state. He too, however, was interested in securing the allegiance and wartime support of as many residents as possible. He argued to the state’s legislators that “a majority of each Class of these pitiable Creatures [Loyalists], having had time for serious Reflection, are convinced of their folly, and probably many of them stuck with Horror of their Treasons.” Livingston proclaimed that the soundest policy during this time of crisis was to “extend Mercy with one Hand, while brandishing the Sword of

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<sup>13</sup> Ibid.

<sup>14</sup> Ibid., 24-27.

Justice in the other” and strive to “require and reclaim every one, not absolutely incorrigible.”<sup>15</sup>

The legislature responded with an Act of Free and General Pardon in June 1777. This legislation allowed former Loyalists who had fled New Jersey with the British army the chance to return to their homes and receive pardons for their past misdemeanors if they swore the necessary oath of allegiance before authorized state officials by August 1, 1777.<sup>16</sup> The required oath was a simple two-sentence declaration that affirmed a man’s commitment to American independence and obedience to the state’s new government. Men were required to “sincerely profess and swear that I do not hold myself bound to bear allegiance to the King of Great Britain, so Help me God” and similarly swear “that I do and will bear true faith and allegiance to the government established in this under the authority of the people.”<sup>17</sup> The terms provided by Livingston and the legislators embodied the same spirit of moderation and pragmatism found within Washington’s January proclamation. Nearly six months after British soldiers abandoned Elizabethtown and one month after Howe ordered the British army’s complete withdrawal from New Jersey, known or suspected Loyalists from Essex County could still receive amnesty and enjoy the privileges of citizenship.

The vast majority of Essex County Loyalists, however, were not interested in the forgiveness offered by Washington and the state legislature. Between January and

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<sup>15</sup> Address to the Assembly, May 28, 1777, *The Papers of William Livingston*, Volume 1, 341-343.

<sup>16</sup> Ibid. and “An Act of free and general Pardon and for other Purposes therein mentioned,” June 5, 1777 in *Acts of the Council and General Assembly of the State of New Jersey*, Volume 8, February 8, 1774-December 5, 1775 and September 11, 1776-April 13, 1778. This legislation, however, was not a blanket offer of amnesty until the August 1 deadline. Justices of the peace could request individuals residing in New Jersey to swear the oaths at any time before this date, and those who did not were prosecuted for their refusal.

<sup>17</sup> Lieutenant Seth Raymond to Essex County Justice of the Peace Amos Dodder, Bureau of Archives and History, Box 1-36, Folder 76, New Jersey State Archives (NJSA), Trenton.

August 1777, over one hundred Essex men abandoned their homes, businesses, and in some cases even their wives and children to seek protection with British forces at Perth Amboy, New York City, or on Staten Island.<sup>18</sup> These Loyalist refugees represented all aspects of Essex society and were an economically diverse segment of its population. Historian Dennis Ryan has demonstrated that a disproportionately large percentage of New Jersey's wealthiest landowners remained loyal to the British government, but these gentry comprised only a small segment of the state's total Loyalist population.<sup>19</sup> Wallace Brown's study of New Jersey Loyalists seeking compensation from Parliament illustrates that 78% of the state's claimants worked as farmers, artisans, or shopkeepers -- professions that typically did not produce affluent landowners or men of great wealth.<sup>20</sup> The petitions filed by Essex Loyalists demonstrate their significant economic diversity. The region's most famous lawyer, David Ogden Sr. of Newark, amassed a considerable fortune throughout his career and claimed to have lost £18,414 in property and lost income during the Revolution.<sup>21</sup> Most Essex petitioners, however, sought far lower sums. The Rev. Isaac Brown of Trinity Episcopal Church in Newark and Dr. Henry Dougan of Elizabethtown were educated Essex Loyalists, but they would be considered

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<sup>18</sup> This total number of Loyalist émigrés was determined by counting all individuals listed as “aiding, abetting, assisting, or joining the Army of the King” between January and August 1777 in the grand jury inquisitions needed for Loyalist property seizure within Essex County as well as those listed as fleeing Essex during those months in Alfred E. Jones's *The Loyalists of New Jersey: Their Memorials, Petitions, Claims, etc., from English Records* (Boston: Gregg Press, reprint, 1972). The Essex County Inquisitions are found in Department of Defense, Subgroup: Adjutant General's Office, Records of the Commissioner of Forfeited Estates, 1777-1795, Box 2, Section 5, NJSA, Trenton. The dates for Loyalists' departure from Essex were determined by the dates listed in their Inquisitions. These dates, however, are not completely reliable as they were given by grand juries beginning legal procedures against departed Loyalists between several months or several years after the departure of the accused individual.

<sup>19</sup> Dennis P. Ryan, “Six Towns, Continuity and Change in Revolutionary New Jersey, 1770-1792” (Ph.D. diss., New York University, 1974), 170. Ryan's study asserts that only 10% of the New Jersey population owned more than 150 acres at the start of the Revolution, but approximately one-third of the Loyalists had land holdings of that size.

<sup>20</sup> Wallace Brown, *The King's Friends: The Composition and Motives of the American Loyalists Claimants* (Providence: Brown University Press, 1965), 111-128 and 312-317.

<sup>21</sup> Jones, *The Loyalists of New Jersey*, 158.

of moderate to low wealth during the Revolution. They estimated their estates to be worth only £283 and £216 respectively.<sup>22</sup> Ogden, Brown, and Dougan were united by their continued faith in the British constitution, but they did not share a common economic background or experiences in Essex County.

Despite the economic diversity of the Loyalists who fled Essex County in the first half of 1777, these émigrés were united by a common political ideology that celebrated their identities as British subjects and the benefits that came with being a part of the British Empire. Essex Loyalists seeking refuge in New York or on Staten Island could have protected their political rights and economic standing in their former communities by making a brief declaration before God and state officials renouncing their allegiance to George III, but they refused to betray their king regardless of the price. This steadfast devotion to the British government was shared by Loyalists who recently migrated from Great Britain to Essex County as well as those born in New Jersey and who had never set foot in Great Britain their whole lives. British immigrants were a small minority of New Jersey's Loyalist population, but the few living in Essex communities such as Broughton Reynolds and Dr. Henry Dougan became Loyalists in 1777.<sup>23</sup> Reynolds moved from Great Britain to Elizabethtown in 1764, and Dougan settled in the region in 1773 after serving as a physician in the King's army for years.<sup>24</sup> It is not surprising that these men would not renounce their British identity, but the vast majority of Essex Loyalists were native-born Americans who nonetheless shared these migrants' refusal to disavow the

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<sup>22</sup> Ibid., 35-36, 62-63. The average Essex claimant sought approximately £1,300 in compensation from Parliament (figured calculated without David Ogden's substantial claim as it was three times larger than the second highest of all thirty-one Essex claims). This average falls within Brown's general conclusions that 46% sought £1,000 or less in compensation, Brown, *The King's Friends*, 314.

<sup>23</sup> Wallace Brown calculates that only 12% of New Jersey Loyalists were born in England with 3% born in Scotland and 7% born in Ireland.

<sup>24</sup> Jones, *The Loyalists of New Jersey*, 62-63 and 177.

British government. For example, Isaac Ogden was the son of David Ogden Sr. and a life-long resident of Newark. His steadfast opposition to American independence stunned Lieutenant Colonel Alexander Hamilton of the Continental Army. After meeting the imprisoned Ogden in April 1777, Hamilton described him as “one of the most barefaced, impudent fellows, that ever came under my observation.” He repeatedly professed “himself a subject to the King” and refused to answer any other question posed by Hamilton.<sup>25</sup> Months of imprisonment did not weaken Ogden’s resolve, and he defiantly informed militia officers on August 1, 1777, “I was born King George’s subject, I have lived so, and I will die so.”<sup>26</sup>

In addition to their continued identification as British subjects, Essex Loyalists refused to swear allegiance to the New Jersey government because they believed its goal of independence was too radical a solution to the colonists’ political grievances. Most Essex Loyalists who fled to British lines in early 1777 had joined their Whig counterparts in resisting Parliament’s contentious legislation since 1765. They, however, believed their wellbeing would be better served within a reformed British Empire rather than outside it. Several Essex émigrés seeking protection with the British army in 1777 had supported the colonists’ boycott of British commerce or even rendered militia service during the war to reform the British Empire. Uzal Ward owned farmland and stone quarries in Newark, and he had voluntarily signed the Continental Association in 1775 but nonetheless fled behind British lines after their evacuation of the region.<sup>27</sup> Robert

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<sup>25</sup> Alexander Hamilton to William Livingston, April 29, 1777, *The Papers of William Livingston*, Volume 2, July 1777-December 1778, Carl E. Prince and Dennis Ryan, eds. (Trenton: New Jersey Historical Commission, 1980), 284.

<sup>26</sup> New Jersey Supreme Court Case Files (Microfilm), Rec. Group: Supreme Court of New Jersey, Series --Judgments and Process Books and Indexes, 1743-1948, Judgment and Process Book N, #134, May 1776-June 1782, No. 28, Case #37307.

<sup>27</sup> Jones, *The Loyalists of New Jersey*, 240.

Drummond served the people Acquackanonk not only as a political leader but also a captain in the Essex militia. He would not accept the new wartime goal of American independence and resigned his commission in July 1776. He was not the only experienced militiaman who joined the Loyalist exodus of 1777; Robert Miller and John Stiles Jr. had also trained or served with the Essex militia in the first half of 1776 but offered no service after July of 1776.<sup>28</sup> The British Empire offered these men access to commercial goods from around the world, protection from foreign threats, and a general sense of security that was not guaranteed as citizens of an American republic. Rather than face an uncertain future within an independent New Jersey, these men sought refuge with the same British army they had demonized for its actions in Massachusetts in 1775.<sup>29</sup>

The voluntary flight of so many Essex Loyalists helped restore some internal stability to the region in early 1777, but Revolutionary leaders still needed to deal with those disaffected residents who refused to either depart or swear allegiance to the state government. William Livingston believed that the state's previously established judicial machinery was inadequate to deal with the threats posed by the remaining Loyalists and feared that if his government did not "strike Terror into the Disaffected I tremble for the

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<sup>28</sup> Ibid., 66, 210 and "Stiles, John Jr.," Department of Defense, Adjutant General's Office (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton. Stiles Jr. was born in Elizabethtown but moved to New York in 1763. He returned to Elizabethtown in 1776 and trained with the militia, but he returned to British-occupied New York City sometime after their invasion of New Jersey. Despite carrying intelligence to General Howe in December and having the New Jersey government seize his Elizabethtown estate, Parliament questioned his allegiance and disallowed his entire claim for financial compensation.

<sup>29</sup> The timid nature of many Loyalists' led Thomas Paine and other authors to label them "cowards" whose actions were dictated purely by fear. For works on Loyalist motivations see Wallace Brown, *The Good Americans* and William H. Nelson, *The American Tory*, (London, Oxford University Press, 1961).

consequences.”<sup>30</sup> The legislature addressed his concerns on March 15, 1777 with the creation of the New Jersey Council of Safety. The Council was comprised of twelve legislators, Attorney General William Patterson, and Governor Livingston. The Council was to travel throughout the state to expedite legal proceedings against Loyalists wherever local authorities were slow or negligent in their duties. Its members heard testimony on suspected Loyalists and determined who needed to stand trial as domestic threats. If sufficient evidence existed they could order sheriffs or even the militia to arrest or imprison suspects until local courts were ready for a jury trial, and at one meeting in Morristown they ordered the militia to apprehend forty-eight residents.<sup>31</sup> Although the ultimate fate of suspected Loyalists rested with local courts rather than Council members, the Council served as an effective catalyst to a stalled judicial system. The legislature originally intended the Council to last for only six months, but its work proved so advantageous to local courts that the legislature renewed the Council five additional times through October 1778 while also increasing its size and powers.<sup>32</sup>

The Essex County courts were inundated with cases against suspected Loyalists throughout the second half of 1777. The Council of Safety and justices of the peace ordered many Essex residents to appear before the court in June and July, but court officials demonstrated considerable moderation towards those who violated the state’s

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<sup>30</sup> William Livingston to John Witherspoon, May 7, 1777, *The Papers of William Livingston*, Volume 1, 324.

<sup>31</sup> Richard C. Haskett, “Prosecuting the Revolution” in *The American Historical Review*, vol 59, no. 3, (April 1959): 581.

<sup>32</sup> “An Act for Vesting the Governor and A Council Consisting of Twelve With Certain Powers Therein Mentioned for a Limited Time,” March 15, 1777 and “An Act for Rendering More Effectual Two Certain Acts Therein Mentioned,” June 4, 1777 in *Acts of the Council and General Assembly of the State of New Jersey*, Volume 9. Suspected Loyalists could be dismissed, enter into a recognizance to appear at the courthouse on the date of their trial, or imprisoned anywhere in the state until the date of their trial. Suspects were also released after swearing oaths of allegiance or entering into service in the Continental Army or navy.

allegiance laws despite the ongoing dangers posed by the nearby British garrisons. In June 1777, eleven Essex men refused to swear the necessary oaths of abjuration and allegiance before local officials who subsequently ordered them to appear at the next Court of General Quarter Sessions on June 24. These men boldly maintained their allegiance to George III long after the collapse of British authority in New Jersey, but the court was willing to discharge four defendants who, faced with the prospect of imprisonment and fines, finally offered to do so before the court.<sup>33</sup> This leniency by the court reflected significant faith in these individuals who had publicly undermined the sovereignty of the state government at a time of war, but the justices overlooked their previous behavior and accepted oaths offered under legal duress. The justices extended similar leniency to several accused Loyalist who daringly continued to refuse to swear oaths before the court on June 24. Nicholas Gouvenir and David Rogers of Newark refused to profess their allegiance to the New Jersey during their trials. Rather than send them to prison, the justices allowed both to enter a £1,000 recognizance and return to their homes on the promises of “good behavior” and to appear at the court’s next session in January.<sup>34</sup> Gouvenir and Rogers gave the court sufficient evidence to regard them as potential threats, but the justices did not utilize their power to imprison them or remove them from a region that was greatly exposed to enemy troops. When the court reconvened in January 1778, each man produced certificates illustrating that they had finally sworn the necessary oaths. As a result they were discharged from their

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<sup>33</sup> Essex County Court of Common Pleas/Court of General Quarter Sessions, Minutes, 1710-1907, Book F, January 1772-January 1781, at New Jersey State Archives, Trenton, NJ. The four defendants were: James Leslie, Jotham Johnson, Jonas Pierson, and Daniel Pierson Jr.

<sup>34</sup> *Ibid.*

recognizance without facing any penalty for their significant lateness in complying with the law.<sup>35</sup>

The New Jersey Council and Safety and Essex County justices, however, did not extend such leniency toward all those who questioned the authority of the state government in the summer of 1777 and instead issued severe punishments to several remaining Loyalists. Five other defendants joined Gouvenir and Rogers in refusing to swear oaths before the court on June 24, but they were not released on recognizance. The justices instead sentenced Peter Dubois, James Nuttman, Thomas Cadmus Jr., John Robinson, and Eliphelet Johnson to six months in jail for their defiance. These men began their imprisonment at the nearby Elizabethtown jail, but in early July the Council of Safety ordered their transfer to the jail at Morristown.<sup>36</sup> This order stemmed more from the Council's concern over Elizabethtown's exposure to enemy incursions rather than malice, but the Council's decision nonetheless inflicted severe pain and anguish upon these Loyalists. The Morristown jail was dangerously over-crowded; Isaac Ogden complained that at times fifty men were confined in "one Room not exceeding 18 Feet Square." The prisoners often depended on the charity of local families for their survival due to the "Failure of the Public [water] Pump" and lack of adequate food supplies.<sup>37</sup> Dubois and his colleagues similarly lamented to the Council that their incarceration in such a place was too severe a penalty for their crime. Their petition to Governor Livingston and the Council of Safety described the jail as "destitute of Bedding and every

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<sup>35</sup> Ibid.

<sup>36</sup> New Jersey Council of Safety Records, 1776-1781, Folder 122 and 88, NJSA, Trenton. In a July 1, 1777 letter to the Council, Justice Joseph Hedden Jr. states that these prisoners were held in the Elizabethtown jail, but on July 17, 1777 the prisoners petitioned for their release from the Morristown jail. They state that the transfer occurred on Council orders.

<sup>37</sup> Petition of Isaac Ogden, George Watts, and Arent Kingsland (all Essex residents) to the New Jersey Council of Safety found in *New Jersey in the American Revolution, 1763-1783: A Documentary History*, Larry R. Gerlach, ed. (Trenton: New Jersey Historical Commission, 1975), 246-247.

thing else that could conduce to their Comforts.”<sup>38</sup> They protested “the Filth of Stench of the House,” and the rampant cases of dysentery and malaria caused by the “vermin . . . the Heat of the Weather, . . . [and] the firmentation Of the Excrements in the Tubs used by the Prisoners.”<sup>39</sup> These five men asserted that their steadfast refusal to swear oaths of allegiance derived from their “Defenseless Situation” and their “Accessibility to the Inroads of the Enemy,” and they professed a newfound willingness to pledge their allegiance if they were released.<sup>40</sup>

The work of the New Jersey Council of Safety and local courts helped to clarify the line between the Revolution’s friends and foes within Essex, and a surprising number of those who had been unwilling to swear allegiance to the state became trustworthy citizens by the close of 1778. The regular appearance of these judicial bodies in Essex demonstrated that despite the British army’s persistent threat to the region that there was no viable political alternative to Livingston’s government. Residents unwilling to renounce their allegiance to the British government or hoping to remain neutral learned that a recognizance with the court or imprisonment merely postponed the unavoidable need to declare their ultimate allegiance before God and New Jersey officials. This political reality prompted Peter Dubois to finally abandon his home and join the British in early 1778, but many imprisoned Loyalists embraced the Revolution following their imprisonment.<sup>41</sup> Eliphelet Johnson, John Robinson, and Thomas Cadmus Jr. shared Dubois’s suffering in the Morristown jail, but soon after their release they joined men

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<sup>38</sup> Petition of Peter Dubois, James Nuttman, Thomas Cadmus Jr., John Robinson, and Eliphelet Johnson to the New Jersey Council of Safety, July 17, 1777, New Jersey Council of Safety Records, 1776-1781, Folder 88, NJSA, Trenton.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> Jones, *The Loyalists of New Jersey*, 273.

like David Rogers and Nicholas Gouvenir in finally swearing the oaths of allegiance. All of these men had contentious relationships with the state government throughout 1777, but after their release they changed their behavior and were charged with no further crimes. They acknowledged themselves citizens of New Jersey, recognized the legitimacy of its government and its war effort, and paid their taxes to support it.<sup>42</sup>

Peter Dubois joined fifteen other Essex residents in the final wave of Loyalist migration from the region in 1778, but their departure did not eliminate the threat they posed to the Revolution.<sup>43</sup> They and other displaced Loyalists regarded themselves as the victims of unwarranted persecution, and many of them sought revenge against both the New Jersey government and their former neighbors who supported it. According to Peter Dubois, the New Jersey Loyalists living with him in New York City in 1779 were little better than “miscreants” consumed with a desire for “desolating” and “utterly destroying” their former state. Dubois was shocked by the widespread and vehement anger of Loyalist refugees, and he criticized former governor William Franklin for perpetuating their bloodlust through statements that “breathed nothing but fire and sword, and desolation” to all. Dubois believed Loyalist refugees could better serve their cause by reaching out to war-weary New Jersey residents who suffered at the hands of America’s “ungovernable and rapacious soldiery,” but his pragmatic sense of moderation and

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<sup>42</sup> Tax Ratables, Box 99, Essex County, Newark Township, February 1779 and July 1781, NJSA, Trenton and Supreme Court of New Jersey, Case # 36256. They were all tax-paying citizens during the war. Johnson pled guilty and fined £400 in March 1779 for concealing and feeding a known subject of the King from state officials in March 1777, but this crime occurred before his imprisonment and subsequent swearing of oaths.

<sup>43</sup> This total was reached through examination of the Inquisitions filed against Loyalists as a means of seizing their estates. Most of those documented as leaving in 1778 are listed as joining the British early in the year, but Nicholas Garrabrants and Nicholas Hoffman are both listed as joining the British in April and October of 1778 respectively. Department of Defense, Adjutant General’s Office, Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Inquisition 5.34 and 5.48.

diplomacy was shared by few others.<sup>44</sup> Dubois's reputation among Loyalists would suffer greatly as a result of his criticism of William Franklin and Loyalist refugees' growing calls for swift and destructive vengeance upon New Jersey. In May 1779, the editors of the *New Jersey Gazette* somehow acquired and published a private letter that Dubois wrote to his wife in Newark. The opinions expressed by Dubois sparked a significant backlash against him and prompted him to publish an apology to the "refugees of New Jersey" in *The Royal Gazette*. He retreated from his previous criticisms of William Franklin and claimed Franklin would never tolerate "acts of barbarity" against his former constituents or associate himself with those who promoted such behavior. In an effort to restore his reputation among Loyalists, Dubois's apology even "disavowed" the personal sentiments he had expressed to his wife.<sup>45</sup>

Essex Loyalists seeking retribution against the government and population that they believed had wronged them often assisted the British army in its campaign to restore Parliament's authority in New Jersey. Many of them provided information on their former communities or served as guides to British forces, but the most passionate Essex Loyalists enlisted as members of the British army in the recently created Provincial Corps, the New Jersey Volunteers. The British generals charged with crushing the Revolution regarded colonists as inferior to professional British soldiers, yet they recognized that Loyalist regiments could play an important role in the war and utilized them as secondary components in their campaigns. British officers commissioned over fifty distinct provincial corps for Loyalists to serve in throughout the war, and the New

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<sup>44</sup> *New Jersey Gazette*, June 9, 1779 in *ASNJ*, Second Series, Vol. 3, *Extracts from American Newspapers*, 1779, William Nelson ed. (Trenton: The John L. Murphy Publishing Company, 1906), 426-428.

<sup>45</sup> *The Royal Gazette*, No. 283, June 16, 1779 in *ASNJ*, Second Series, Vol. 3, 1779, 453-454.

Jersey Volunteers was the largest. It grew from 517 men in the summer of 1777 to 1,101 by May of 1778, and displaced Essex Loyalists served in numerous capacities of this provincial unit.<sup>46</sup> Essex Loyalists were some of the highest-ranking officers in the New Jersey Volunteers. Twenty-nine year old Edward Vaughn Dongan of Elizabethtown was commissioned as a lieutenant colonel following his flight to enemy lines, and Robert Drummond joined Dongan's battalion as a major soon after resigning his commission as a captain in the Essex militia.<sup>47</sup> Like Drummond, Dr. Uzal Johnson of Newark abandoned his role as surgeon in the Essex militia following the Declaration of Independence, and he and Dr. Henry Dougan of Elizabethtown spent the remaining years of the war as surgeons in the New Jersey Volunteers.<sup>48</sup> The corps also attracted some of the youngest displaced Essex Loyalists. Ichabod Olliver was only fifteen years old when he enlisted in the New Jersey Volunteers and served as a private in its first battalion between 1776 and 1783.<sup>49</sup>

The New Jersey Volunteers assisted the British army with its campaigns in Pennsylvania, Georgia, and South Carolina. Some battalions, however, always remained with the British forces stationed near Essex and participated in the ongoing conflict with that region's population and Continental garrisons. Essex Loyalists utilized their geographic knowledge of the region to help British raiders evade sentries and successfully prey upon coastal residents. Loyalist guides were tremendous assets to British raiding parties targeting Essex communities. Private Joseph Plumb Martin of the

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<sup>46</sup> William Stryker, *The New Jersey Volunteers (Loyalists) in the Revolutionary War* (Trenton: Naar, Day, & Naar, Book and Job Printers, 1887), 5.

<sup>47</sup> Stryker, *The New Jersey Volunteers*, 29, 32-33.

<sup>48</sup> *Ibid.*, 40-41 and "Johnson, Uzal," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>49</sup> Jones, *The Loyalists of New Jersey*, 106-107.

Continental Army was stationed in Essex in 1780 and complained that raiding parties were “next to impossible to detect” because they and their guides “knew every lurking place in all the neighboring county.”<sup>50</sup> Their familiarity with the region also assisted British and Loyalist soldiers looking to penetrate beyond the New Jersey coast. Edward Vaughn Dongan and Robert Drummond successfully led a band of sixty Loyalists twenty-seven miles into New Jersey without being spotted by Continental troops or militia in August 1777. Local forces could not stop the invading Loyalists from destroying supplies of salt, rum, and ammunition, and neither Continental nor militia forces could prevent their successful retreat to Staten Island with fourteen prisoners, sixty-two cattle, and nine horses.<sup>51</sup> The New Jersey Volunteers also played a prominent role in thwarting the Continental Army’s numerous assaults on Staten Island and helped ensure the British army’s presence on this strategic island until the war’s 1783 conclusion.

Essex residents were infuriated by the military assistance their former friends and neighbors provided to the British army, but no Loyalist émigré was more universally infamous or more hated than Cornelius Hatfield Jr. due to his role in the most destructive British raids into the region. Hatfield was the son of one of Elizabethtown’s wealthiest landowners and managed his aging father’s farm prior to the Revolution. Although Hatfield remained with the British army during its occupation of Elizabethtown, he did not join the Loyalist exodus from the region in the first half of 1777. Hatfield kept any misgivings he had concerning the Revolution to himself for several years as he was never

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<sup>50</sup> Joseph Plumb Martin, *Private Yankee Doodle, Being a Narrative of Some of the Adventures, Dangers, and Sufferings of a Revolutionary Soldier*, George F. Scheer ed. (Boston: Little, Brown, and Company, 1962), 177.

<sup>51</sup> *New York Gazette and Weekly Mercury*, August 25, 1777 in *ASNJ*, Second Series, Vol. 1, 1776-1777, William Stryker ed. (Trenton: John L. Murphy Publishing Company, 1901), 451-453.

called before the New Jersey Council of Safety or Essex courts to swear oaths of allegiance. By the end of 1778, however, the state government received its first indication of his true character and the blight that he would become to its war effort and the Essex population.<sup>52</sup>

In December 1778, Continental soldiers arrested Hatfield and two other men aboard a sloop near Sandy Hook. The vessel was cleared to travel to Virginia, but the soldiers found in its hold seven tons of iron, a barrel of beef, and a cask of biscuit that they believed was destined for the British garrison in New York City. Furthermore, the soldiers also discovered numerous men aboard the sloop as well as a letter from the commander of an armed British vessel asking Hatfield to provide him with “thirty hands.”<sup>53</sup> The soldiers believed Hatfield was aiding the British military with supplies and privateers and therefore took him into custody. Washington agreed with their decision and firmly believed Hatfield guilty of “a treasonable connexion and intercourse” with the British, but many Elizabethtown residents protested Hatfield’s imprisonment.<sup>54</sup> They not only challenged the Continental Army’s authority to apprehend and hold a New Jersey citizen but also claimed that Hatfield’s arrest was based upon circumstantial evidence. Local officials served General William Maxwell with a writ of habeas corpus demanding that Hatfield be brought to the house Justice Isaac Smith of the New Jersey Supreme Court. Maxwell, however, refused to receive the writ and violently removed the well-respected Dr. William Barnet from his quarters for attempting to leave the document with

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<sup>52</sup> Stryker, *The New Jersey Volunteers*, 49. Stryker claims that Hatfield served as a Captain of the New Jersey Volunteers “up to the summer of 1778,” but this is unlikely as the state government trusted him with a permit to carry valuable military provisions in 1778.

<sup>53</sup> Harry M. Ward, *General William Maxwell and the New Jersey Continentals* (Westport, CT: Greenwood Press, 1997), 114.

<sup>54</sup> George Washington to William Livingston, December 21, 1778, *The Papers of William Livingston*, Volume 2, 520-521 and Ward, *General William Maxwell*, 114.

him.<sup>55</sup> Washington soon intervened and ordered Maxwell to comply with the writ, but Essex residents would soon come to regret their protests and Washington's capitulation.<sup>56</sup>

Hatfield escaped from the custody of Essex officials and quickly fled to British lines where he enthusiastically committed himself to serving the British war effort by waging war against the people of Essex from 1779-1783.<sup>57</sup> In February 1779 he received a commission as a captain of the Associated Loyalists, an armed organization of New York and New Jersey Loyalists compensated and supplied by the British government but not part of the British army.<sup>58</sup> According to historian William Stryker, Hatfield "seemed to have special hatred for his own townsmen of Elizabethtown," which he made evident on February 25, 1779 when he personally guided 1,000 British soldiers to Elizabethtown to kidnap Governor Livingston and seize military supplies.<sup>59</sup> While this kidnapping plot failed, Hatfield was able to guide numerous British forces into Elizabethtown from 1779-1783 that successfully apprehended local officials, military leaders, and vital military provisions. In the middle of the night on June 12, 1779, Hatfield and a band of five soldiers from Staten Island entered the home of Lieutenant John Haviland of the Essex militia and carried him to enemy lines where he would remain a prisoner for nearly fifteen months before his release in a prisoner exchange.<sup>60</sup> In November 1780, he

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<sup>55</sup> Ward, *General William Maxwell*, 115.

<sup>56</sup> *The Papers of William Livingston*, Volume 2, editor's note, 114. Maxwell surrendered Hatfield to Essex County Justices of the Peace on December 25, 1778.

<sup>57</sup> William Livingston to Lord Stirling, February 7, 1779, *The Papers of William Livingston*, Volume 3, Carl E. Prince, Dennis P. Ryan, Brenda Parnes, Mary Lou Lustig eds. (New Brunswick, NJ: Rutgers University Press, 1986), 33. The date of Hatfield's escape is unknown, but it likely occurred in January 1779 as Livingston referred to it in early February.

<sup>58</sup> Ward, *General William Maxwell*, 114.

<sup>59</sup> Stryker, *The New Jersey Volunteers*, 49 and Thayer, *As We Were—The Story of Old Elizabethtown*, 128-129.

<sup>60</sup> *The New York Gazette and Weekly Mercury*, No. 1443, June 14, 1779 in *ASNJ*, Second Series, Vol. 3, 441 and "A Correspondent has favoured us with the following from Elizabeth Town," Unnamed Newspaper, June 22, 1779 in *ASNJ*, Second Series, Vol. 3, 458. Information concerning Haviland's

assisted the British in their nighttime capture of Elizabethtown residents Colonel Matthias Ogden and Captain Jonathan Dayton of the Continental Army. He continued to lead soldiers into Essex County for the remainder of the conflict and brought significant economic and emotional suffering to its population.

Hatfield's most egregious offense against his former community occurred on January 25, 1780 when he guided a large British expedition into Elizabethtown that inflicted an unprecedented level of distress upon its population. He led several hundred British soldiers past the Continental sentries, and once in the town they not only captured dozens of soldiers and Elizabethtown residents but also set fire to several homes and buildings. The British invasion took many friends and many houses from the community, and the people of Elizabethtown also lost their town's historic and spiritual center, the First Presbyterian Church. This church was founded soon after Elizabethtown's settlement in 1665 and was the oldest English church in all of New Jersey. It had long enjoyed an esteemed place within the town's history. The Rev. Jonathan Dickinson led its congregants during the Great Awakening, and the Rev. George Whitefield had preached there in 1739 and 1740. The church was the place of worship for most of the town's respected citizens and Revolutionary leaders including Hatfield's father, Cornelius Hatfield Sr., who served the church as a deacon. According to a popular but undocumented tradition, Hatfield Jr. not only guided the British troops into Elizabethtown the night the church burned but personally set his father's church ablaze.<sup>61</sup>

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prisoner exchange in September 1780 found in "Haviland, John," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>61</sup> The Reverend Edwin F. Hatfield, D.D., *The History of Elizabeth, New Jersey Including the Early History of Union County* (New York: Carlton & Lanahan, 1868), 482. David Chandler of

Although the Continental Army and local militia were unable to protect Essex residents from the significant external dangers posed by departed Loyalists, the New Jersey state government enjoyed greater success at removing any domestic influence Loyalist refugees could have on the region. Many of the initial Loyalist émigrés from Essex left their wives behind to oversee their families' property, and both the state government and local population believed these women posed a significant threat as they could carry out their husbands' schemes to subvert the Revolutionary movement.

Although the state government granted voting rights to women who owned at least £50 worth of property, its adherence to the British legal principle of coverture asserted that women married to Loyalist men inherently shared their husbands' allegiance to the British government. According to the principle of coverture, women surrendered their property rights to their husbands upon marriage. Married men could do whatever they wished with their wives' property, regardless of their wives' consent, because the couple was legally regarded as one entity sharing one estate and only one political voice – the husband's.<sup>62</sup> This principle had significant political ramifications for the wives of Loyalist exiles still residing within Essex. They too were regarded as domestic threats by state authorities because under this legal principle it was impossible for the wife of a Loyalist to not be a Loyalist herself.

The New Jersey Council of Safety adopted a simple but aggressive solution to the alleged threat posed by the wives of Essex Loyalist refugees. Throughout the summer of

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Elizabethtown resident composed a poem on the burning of the meeting house: "Their first attempt in vain they try,/The reluctant fire seems to die,/But soon they try the other end,/And lo! The kindled flames ascend./Alas! The building all has fell,/The pulpit, pinnacle and bell,/And rows of beauteous windows round, Are melted and lie on the ground." William Nelson, "Suggestions for a New Jersey Bibliography," *Proceedings of the New Jersey Historical Society*, Third Series, Volume IX, 1914, 16.

<sup>62</sup> Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill, University of North Carolina Press, 1997), 35-37.

1777 the Council repeatedly ordered the Essex militia to apprehend these women and escort them to enemy territory. On June 21, Joseph Hedden Jr., a justice of the peace in Newark and Essex County's commissioner of Loyalist estates, forwarded to the Council of Safety the names of fourteen women residing in Essex whose husbands currently lived with British troops. William Livingston subsequently ordered Major Samuel Hayes of the Essex militia to transport some of these women across the Hackensack River into enemy-held Bergen County.<sup>63</sup> Hayes reported on June 30 that nearly half of the targeted women had already fled to the enemy, but his men removed every other Loyalist wife on the list except Elizabeth Wheeler who was so physically weak that Hayes feared the relocation might kill her.<sup>64</sup> Hedden provided a second list to the Council of Safety on July 9, 1777 naming twenty Loyalist wives still remaining in Essex, and two days later the Council similarly ordered Colonel Philip van Cortlandt to send the vast majority of these women to enemy lines as well.<sup>65</sup>

Although the government's campaign against Loyalist wives within Essex was based largely upon legal reasoning that denied married women any political agency, in some cases the actions of local officials was clearly justified. As commissioner of Loyalist estates, Joseph Hedden Jr. was charged with making inventories of all the personal possessions abandoned by Essex Loyalists so they could be sold and utilized by other residents rather than remain idle or spoil in the case of food. Hedden informed the

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<sup>63</sup> New Jersey Council of Safety Records, 1776-1781, Folder 119, NJSA, Trenton. Hedden lists: Elizabeth Betty, Mary Longworth, Sarah Crawford, Margaret Nichols, Hannah Ward, Elizabeth Bruen, Abigail Ward, Phoebe Banks, Sarah Sayres, Catherine Longworth, Lydia Sayres, Elizabeth Wheeler, Polly Wood, and Mrs. Connolley.

<sup>64</sup> New Jersey Council of Safety Records, 1776-1781, Folder 121, NJSA, Trenton.

<sup>65</sup> New Jersey Council of Safety Records, 1776-1781, Folder 124, NJSA, Trenton and *Minutes of the Council of Safety of the State of New Jersey* (Jersey City, John H. Lyon, 1872), 84, 108. Hedden listed: Mary Kingsland, Mary Stager, Filia Risser, Sarah Garrabrant, Mary Grumfield, Elizabeth Howet, Martha Hicks, Autta Van Ripper, Susanna Wicks, Mary Garrabrant, Jane Drummond, Sarah Sayres, Lydia Sayres, Margaret Nichols, Elizabeth Brown, Sarah Crawfoot, and Abigail Ward.

Council that he and other commissioners were “much Impeded in their Business on Account of the Tory Women that remain with us.” He cited women such as Jane Drummond of Acquackanonk for “secreting” their husbands’ goods and “concealing every thing they possibly can.” Hedden argued that the removal of women like Drummond and the nineteen others he listed in his July 9, 1777 letter to the Council would be “an Advantage to the State and save the Commissioners a Great deal of Trouble.”<sup>66</sup> As the wife of Robert Drummond, Jane Drummond was automatically considered as a Loyalist threat due to her husband’s flight and service in the New Jersey Volunteers. Her disdain toward Hedden Jr. was understandable since his work threatened her family’s possessions, but she nonetheless openly undermined the authority of state officials at a time of war. Drummond’s conduct must have been particularly egregious. She was the only Loyalist wife in all of Essex County to be formally indicted as a Loyalist by a grand jury and tried in absentia like her husband.<sup>67</sup>

Although Drummond was clearly a Loyalist herself, many of the women who shared her fate in exile from Essex County did not share her views on the war for independence. Some of the women driven into enemy territory by the Essex militia had given state officials no reason to doubt their personal support for the Revolution. Sally Medless of Newark was a clear proponent of independence and even told Governor Livingston that she was willing to put her commitment to the Revolution before her commitment to her husband. Medless promised Livingston that if she were allowed to remain in her home she would “never hold any correspondence whatsoever with her

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<sup>66</sup> Ibid.

<sup>67</sup> Department of Defense, Adjutant General’s Office, Records of the Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Section 5. Indictment 5.25, Jane Drummond, September 1, 1779.

Husband or in any Manner or Way injure the State.”<sup>68</sup> Livingston, however, was unmoved by her petition, and she was driven from her community by the Essex militia and forced to join her husband in New York City. Loyalist newspapers in New York utilized these women’s stories as a means to drum up support for the British war effort. One account of exiled Newark women maintained that the “Cries of Mothers, Children and Slaves, obliged to leave their Homes, for differing in the Sentiment from their Neighbors, would have excited Pity in the Breast of any but Savages.”<sup>69</sup>

The militia’s expulsion of Loyalists’ wives from Essex prevented these women from actively subverting the region’s political and military officers, but their husbands’ property rights within Essex communities gave these men an indirect means to hinder the Revolution. The war for independence was a costly endeavor, and the New Jersey government needed every resource it could procure to defeat the British army. Essex residents struggled to provide food, clothing, and other necessities to both their families and the Continental army, but the flight of Loyalists from the region further strained the local economy as these individuals no longer produced any goods or services. Loyalist refugees carried as many valuable possessions to New York or Staten Island as they could, but many had to leave assets behind. Farm tools and artisans’ instruments laid idle in abandoned barns or shops. Large quantities of clothing sat in their closets or bureaus. Loyalists’ farmland provided no food for the local population or Continental soldiers since its owners left it either completely fallow or in need of cultivation. Washington recognized the tremendous value of this abandoned property in April 1777 and encouraged Livingston to utilize it in New Jersey’s war effort. He informed the

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<sup>68</sup> Kerber, *Women of the Republic*, 51.

<sup>69</sup> *New York Gazette and Weekly Mercury*, July 7, 1777 in *ASNJ*, Second Series, Vol. I, 1776-1777, 419-420.

governor “that many people who have absconded, have left behind them, Stocks of Horses, Cattle and Grain, which will not only be lost to Owners, but to the public, if some mode is not fallen upon to secure them.”<sup>70</sup>

Livingston shared Washington’s desire to make use of these abandoned possessions, but he would not tolerate the outright theft of Loyalist property. He demanded that civil and military officials refrain from seizing any Loyalist asset until the state’s legislature and courts declared that its owners had legally forfeited their rights to their property. Despite the dire economic and military situation facing New Jersey after the British retreat, the governor would not sacrifice his commitment to Whig ideology and its belief in man’s inalienable property rights. In a February 5, 1777 proclamation Livingston condemned militia units who “forceably seized and carried away the Goods and Effects of their Fellow-Inhabitants, on Pretence that the Owners thereof were inimical to the Liberties of *America*; or had submitted to, or taken Protection from, the Enemy.”<sup>71</sup> In his early drafts Livingston claimed such behavior could not be “dignified with the glorious title of Patriotism,” or “justified under the Idea of inflicting suitable vengeance.” He revised this original language for his final proclamation and instead labeled such theft as “repugnant to the Laws of the Land, whereby every Man’s Property is secured and protected until it is declared forfeited by judicial Process.”<sup>72</sup> Livingston recognized that Loyalist property could aid his government’s war effort, but he would not violate the Revolution’s principles to obtain it.

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<sup>70</sup> George Washington to William Livingston, April 1, 1777, *The Papers of William Livingston*, Volume I, 289-290.

<sup>71</sup> Proclamation, February 5, 1777, *The Papers of William Livingston*, Volume 1, 214.

<sup>72</sup> *Ibid.*, 214-216.

The legislature first addressed the problem of abandoned Loyalist property in its June 5, 1777 “Act of free and general Pardon” which generously gave Loyalists ample opportunity to receive amnesty from the state government and protect their property rights within the state. This law satisfied the demands of citizens and military officials that Loyalists’ assets be made available to them, but it did so in a manner that would not automatically deprive Loyalists of their wealth. Its provisions expressly linked an individual’s property rights in New Jersey to his recognizing the sovereignty of the state’s government. Commissioners of Loyalist estates like Joseph Hedden Jr. were charged with creating inventories of all items owned by departed or imprisoned Loyalists who had yet to swear the required allegiance oaths. They had the authority to sell all perishable items at public auction so they would not go to waste, and commissioners could also sell a Loyalists’ entire personal estate if he believed these goods might fall into enemy hands. These sales, however, were not designed as punitive measures to bring financial ruin to all Loyalists but rather to offer them economic incentives to return and embrace the Revolution. Commissioners were required to hold all the revenue raised through the sale of personal effects and surrender this cash (minus the commissioners’ fees) and all unsold possessions to any departed Loyalist who returned and complied with the Act of Free and General Pardon.<sup>73</sup> Washington had suggested such a law to Livingston in April 1777, and the governor believed this approach to abandoned possessions and Loyalists’ property rights to be highly advantageous.<sup>74</sup> It offered not only political amnesty but restored economic standing to Loyalists willing to abandon

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<sup>73</sup> “An Act of free and general Pardon and for other Purposes therein mentioned,” June 5, 1777 in *Acts of the Council and General Assembly of the State of New Jersey*, Volume 9.

<sup>74</sup> George Washington to William Livingston, April 1, 1777, *The Papers of William Livingston*, Volume 1, 289-290.

their allegiance to George III by August 1. Moreover, it guaranteed the seizure of all Loyalist property and the loss of all property rights to those who refused. As Livingston argued, this policy would ease the economic burdens felt by all New Jersey residents while guaranteeing that either “the personal Service, or the personal Estates” of all Loyalists would be made to serve New Jersey’s war effort.<sup>75</sup>

Between July 2 and July 15, Essex commissioners auctioned the personal estates of eight Newark and Acquackanonk Loyalists to the public.<sup>76</sup> The ongoing military threat facing Essex County prompted the commissioners to sell both perishable and non-perishable items, and these auctions aided the local economy by putting valuable but idle resources in the hands of men who could use them to serve the needs of their community or the government. Garrett Winters, for example, abandoned a set of blacksmith tools in addition to other tool sets when he fled to British lines in 1777. These tools provided nothing to Essex residents throughout much of 1777, but their purchase by Major Caleb Dodd and John Kidney allowed these men, or subsequent buyers, to utilize them within the region.<sup>77</sup> Similarly, the flight of Essex Loyalists to enemy territory left valuable farmland and other agricultural resources in a neglected state. Although commissioners could not sell real estate in 1777, several residents purchased the untended crops found on Robert Drummond’s farmland. Jacob Van Waggens of Acquackanonk acquired “one Field Wheat and Rice Near the Mountain” for £9.75 at a July 10 auction. John Pier of

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<sup>75</sup> William Livingston To the New Jersey Assembly, May 28, 1777, *The Papers of William Livingston*, Volume 1, May 28, 1777.

<sup>76</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, NJSA, Trenton. Only three account books from estate sales for Essex County are available – one from July 1777, one for August-September 1778, and one for February-March 1779. Personal estates were comprised of all Loyalist assets besides their homes, land, or other forms of real estate.

<sup>77</sup> *Ibid.* Dodd purchased “one set of blacksmith tools” for £16, and Kidney purchased a different set of tools for the same price July 10, 1777.

Acquackanonk similarly purchased “one Field Wheat near the Bar[sic]” as well as “1/2 the field flax” and Drummond’s “Flax Seed” for only £14 total.<sup>78</sup> Commissioners ensured that these valuable agricultural resources would not go to waste, and despite Drummond’s betrayal of the Revolution this revenue was held in trust for him to claim before August 1. The estate sale laws presented two clear paths to Drummond: he could choose to become a New Jersey citizen and recover from the economic losses brought on by his flight to enemy territory, or he could remain with British forces and permanently abandon his possessions or the money raised through their sale.

One of the most abundant economic resources available to Essex residents at the July 1777 Loyalist estate sales was farm animals because Loyalists could not legally bring them into enemy lines during their flight from the region. Washington specifically ordered that those who “go over to the enemy are not to take with them any thing but their clothing and furniture.” He demanded that “their horses, cattle and forage must be left behind” because they were vital military assets that would assist the British army’s campaigns.<sup>79</sup> Land-owning residents of Essex County were eager to buy these abandoned animals and employ them on their estates. For example, Joseph Hedden purchased several animals that would increase his farm’s profitability. On July 8, he purchased two “heffers” from the estate of Benjamin Booth and purchased an additional two “calves” one week later from the estate of Henry Stager.<sup>80</sup> British soldiers carried away dozens of animals from the region during their January retreat from Elizabethtown, and residents victimized by such plunder were undoubtedly interested in purchasing

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<sup>78</sup> Ibid. “Vendue of goods/chattels formerly the property of Robert Drummond, July 10, 1777.”

<sup>79</sup> Hatfield, *History of Elizabethtown*, 458.

<sup>80</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, NJSA, Trenton. “Vendue of goods/chattels formerly the property of Mr. Booth, July 8, 1777” and Henry Stager, July 15, 1777.

animals from Loyalist estates to serve as replacements. Stephen Ward of Newark lost one horse during the British occupation and purchased a substitute from Robert Drummond's estate. Thomas Canfield lost one horse, two oxen, thirteen cattle, and nineteen sheep to British soldiers in January 1777. While he was unable to replace this significant number of animals stolen from his farm, Canfield did purchase two horses from Benjamin Booth's estate.<sup>81</sup> Although Essex residents would not be compensated for their property losses until after the war's conclusion, Loyalist personal estate sales provided the agricultural resources needed to maintain farms and minimize the long-term economic damage caused by British plunderers.

The July 1777 Loyalist estate sales in Newark and Acquackanonk were large social events that attracted residents from all over the county and raised a large amount of cash for departed Loyalists to claim. Over one hundred men purchased items between July 2 and July 15, and it is likely that many others attended these auctions as either curious spectators or losing bidders.<sup>82</sup> Newark residents accounted for the vast majority of these crowds due to their close proximity to the auctioned Loyalist estates, but some purchasers travelled many miles to be in attendance. Nicholas Roach, John Sipp, David Lyon, and John van Winkle travelled to Newark from the neighboring towns of Acquackanonk and Elizabethtown, and some participants came from even further away. John Morris and Samuel Mills lived in the village of Rahway located along Essex County's southern border and journeyed approximately ten miles to buy the personal

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<sup>81</sup> Ibid. and Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Newark, Stephen Ward and Thomas Canfield, NJSA, Trenton.

<sup>82</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, NJSA, Trenton. A total of 106 individuals purchased items at the estate sales in Newark in July 1777.

effects abandoned by Newark Loyalists.<sup>83</sup> In just two weeks men from across Essex purchased approximately £1,900 worth of goods from only eight personal estates, and this money was available to these Loyalists as long as they complied with the Act of Free and General Pardon by August 1.

The public sale of Loyalists' personal estates attracted members from all socio-economic classes in Essex and was very popular among the poor. Table 4.1 illustrates that the regions' poorest inhabitants turned out in large numbers for these auctions. Although the landless farmers and poor workers who comprised the majority of the county's population and paid minimal taxes to the state could not afford to buy expensive economic resources such as blacksmith tools, they could afford to buy everyday household items that would make them happier or their lives easier. Decorations such as paintings or pictures were available at most Loyalist auctions, and men could purchase some for as little as two shillings apiece.<sup>84</sup> Commissioners sold every item they could find in the Loyalists' homes, and kitchen necessities such as frying pans or teapots often sold for only 9 or 10 shillings each.<sup>85</sup> Dozens of tables, chairs, beds, and other furniture items sold to the highest bidder, and some of the region's poorest inhabitants acquired pieces for their homes. On July 15, 1777 Alexander Anderson joined Thomas Canfield, one of Newark's wealthiest landowners, at the estate sale of "M. Blundell." Even though Anderson owned zero acres within Essex County and lived with other family members throughout the Revolution, he outbid all competitors and purchased Blundell's chest of

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<sup>83</sup> Ibid. and Tax Ratables, Box 99, Essex County, NJSA, Trenton.

<sup>84</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, New Jersey State Archives, Trenton, NJ. Alexander Anderson purchased 2 pictures for 4 shillings at the July 15 sale of Robert Drummond's possessions.

<sup>85</sup> Ibid. Silas Halsey purchased a frying pan for 9 shillings at the July 15 sale of Robert Drummond's property, and Jonathan Conger purchased a tea pot for 10 shillings at the same sale.

drawers.<sup>86</sup> Loyalist estate sales offered an array of items needed in Essex households, and many of the poorest inhabitants capitalized on the bargains available by attending multiple auctions. Like Alexander Anderson, James Speir was a landless Newark resident and among the bottom 18% of Essex County taxpayers, but he attended four separate personal estate auctions in the course of one week. Between July 7 and July 15, Speir purchased numerous bottles and jugs, a table, bedstead, chest, and an axe for his family to use.<sup>87</sup>

**Table 4.1 – Average Wealth of Loyalist Personal Estate Sale Participants**

Tax Rates, 1779	% of Documented Tax-Paying Population	% of Documented Tax-Payers, July 1777 Estate Sales	Ratio of Estate Sale Purchasers % to Tax Paying Population %
0-£1	24.4%	24.6%	1.01 to 1
£1.05-£2	21.5%	11.7%	0.54 to 1
£2.05-£3	11.6%	5.2%	0.45 to 1
£3.05-£4	10.1%	9.0%	0.89 to 1
£4.05-£5	7.2%	13.0%	1.02 to 1
£5.05-£7.5	12.8%	13.0%	1.02 to 1
£7.55-£10	4.7%	7.8%	1.66 to 1
£10.05 - £12.5	2.9%	6.5%	2.24 to 1
£12.55 +	4.3%	9.1%	2.12 to 1

<sup>86</sup> Ibid. Alexander Anderson purchased a chest of drawers from the estate of “M. Blundle” for £4, 8s.

<sup>87</sup> Ibid. Speir attended sales on July 7, July 12, and July 15 and purchased these items from the estates of Benjamin Booth, Peter Clopper, M. Blundle, and Henry Stager. Speir paid only £0.75 to the state in 1779. Tax Ratables, Box 99, Essex County, Newark Township -- February 1779.

Although Loyalist estate sales offered plenty for impoverished Essex residents, these auctions offered far more to the region's upper class who had the resources to purchase a greater quantity of items and high-priced items that were beyond the means of most residents. The county's wealthiest inhabitants comprised a disproportionately large percentage of documented estate sale participants. Only 12% of Essex residents paid over £7.5 in taxes to the state in January 1779, but these affluent individuals account for nearly one-quarter of all those buying goods at the first Loyalist estate sales. These events provided a convenient source for high quality British merchandise that had not been readily available to consumers since the renewal of the colonies' non-importation movement under the 1774 Continental Association. Wealthy citizens purchased abandoned paintings, ceramics, and ornate furniture from Loyalist estate commissioners at significant prices. Colonel Philip Van Cortlandt spent over £4 for just one of Robert Drummond's chairs. Dr. Nicholas Roach purchased a "looking glass" from the estate of Peter Clopper for £10.5 while other residents acquired smaller and less elaborate mirrors for under £2.<sup>88</sup> Wealthy landowners also bought the vast majority of all the animals sold at Loyalist estate sales. Farmers from across the economic spectrum needed draught animals to help cultivate their land, but horses, bulls, and cows were usually the most expensive items available at these auctions. Cattle typically sold for £9 to £10 each, and some horses sold for as much as £20.<sup>89</sup> While all residents were welcome to participate at the July 1777 Loyalist estate sales, Essex County's wealthiest residents returned home with the finest items available.

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<sup>88</sup> Ibid. See itemized account for sale of estates of Peter Clopper, Robert Drummond, and Benjamin Booth. Samuel Arnett purchased one of Booth's mirrors for £1.75.

<sup>89</sup> Ibid. Commissioners sold eight cattle from the estate of Benjamin Booth with prices ranging between £7.65 up to £10.7. Thomas Canfield bought two horses from Robert Drummond's estate for £11 on July 10, but Stephen War bought one horse from Drummond's estate on July 15 for £20.4.

Newark merchant Robert Neil was the most active participant in Essex County's July 1777 Loyalist estate sales, and his frequent purchase of Loyalist property throughout the war made him a popular target of Loyalist indignation. Neil's purchases accounted for nearly one-third of the £1,900 that the local commissioners raised between July 2 and July 15. He attended nearly every auction in Newark and purchased a vast array of luxury and commercial items. Neil bought a riding chair for £23 and an elegant clock for £21 from an unnamed estate on July 3, but he spent far more money acquiring items that he would likely re-sell at his store. Neil bought over £100 worth of goods from the estate of Benjamin Booth including various tools, gauges, sheep shears, over a dozen chairs, and a large quantity of paint.<sup>90</sup> Neil's largest purchase, however, was six tons of iron recently seized from a British officer and "some person unknown" which he bought for £302. With this purchase he could serve both his own financial interests and America's war effort by dividing the iron and selling it in smaller quantities to Essex residents and local quartermasters who were in great need of this resource. Neil's frequent activity at Essex County's Loyalist estate sales between 1777 and 1780 earned him the ire of the region's departed Loyalists who were widely uninterested in becoming New Jersey citizens and claiming the cash personal estate sales provided. They enthusiastically celebrated Neil's capture by British soldiers during their January 25, 1780 assault on Newark. A Loyalist writing under the name "VERITAS" claimed in March of that year that only estate sale commissioner Joseph Hedden Jr. rivaled Neil when it came to "robbing his Majesty's faithful subjects, for chicane, dissimulation, and treachery." The author rebuked Neil for amassing a large fortune at the expense of those "suffering for

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<sup>90</sup> Ibid. Neil purchased the riding chair, clock, and furniture from an unspecified estate on July 3 for £74 and purchased the gauges, tools, paint, and cattle on July 5 and July 7 from Benjamin Booth's estate for £115.

their fidelity to their Sovereign,” and he encouraged British soldiers to keep Neil imprisoned “until he has made them satisfaction for the damages.”<sup>91</sup>

New Jersey’s legislators sought to use Loyalists’ affection for their personal estates as a means to secure their allegiance, and the Act of Free and General Pardon undoubtedly convinced many suspected Loyalists within Essex to finally become citizens in the summer of 1777. No departed Loyalists, however, returned from enemy territory to Essex to swear allegiance oaths or claim the proceeds of their personal estate’s sale, and Governor Livingston therefore pressured lawmakers for more punitive legislation against these individuals. He desired a law that would allow estate sale commissioners to continue selling Loyalists’ personal effects and direct all the money raised at these sales to the state government. The legislature, however, could not agree on a bill and left commissioners without any legal means to sell Loyalist property for many months. Livingston’s December 4, 1777 message to the legislature asserted that a new law governing “the Confiscation and Sale of the Estates of Persons who have forfeited the Right of Protection” required legislators’ “immediate attention.”<sup>92</sup> The General Assembly passed such a bill six days later, but the Legislative Council did not do so at the same legislative session.<sup>93</sup> Livingston renewed his calls for a new law governing estate seizures and sales before the legislature’s February 1778 meeting. He reminded lawmakers of the state’s great need for iron and steel and alluded to the benefits such a law would bring to New Jersey’s “generally disaffected” iron manufacturers. Lawmakers

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<sup>91</sup> *The New York Gazette and the Weekly Mercury*, January 31, 1780 and *The Royal Gazette*, March 22, 1780 in *ASNJ*, Second Series, Vol. 4, *Extracts from American Newspapers Relating to New Jersey*, November 1, 1779-Sept. 30, 1780, William Nelson ed. (Trenton: State Gazette Publishing, 1914), 153, 240-241.

<sup>92</sup> William Livingston to the Assembly, December 4, 1777, *The Papers of William Livingston*, Volume 2, 131-132.

<sup>93</sup> *The Papers of William Livingston*, Volume 2, editor’s note, 132.

once again could not agree on the specific provisions for a new estate seizure and sale law, and by April 1778 Livingston could scarcely contain his frustration. He complained to Nathaniel Scudder, one of New Jersey's Continental Congress delegates, that "the tory-race have increased under our Nurture, that is to say our lenient measures." Livingston asserted that Loyalists "are now triumphant and much more dangerous than the British Troops. Alas my dear Sir instead of rearing our heads as heretofore like the Stout Oak, we flag like a parcel of bull-rushes. We want Spirit & Activity. Four sessions to compleat an Act for confiscating tory property!"<sup>94</sup>

Livingston finally achieved his goal in April and December 1778 when the legislature not only authorized estate commissioners to renew their sale of Loyalists' personal effects but also granted them the power to lease or sell Loyalists' most valuable asset – real estate. In accordance with Whig ideology's respect for individual property rights, the April 18, 1778 estate seizure law established a lengthy but thorough judicial procedure that all commissioners needed to follow before they could resume selling Loyalist property. Unlike the previous law, however, its provisions were designed to bring economic ruin to departed Loyalists by denying them any right to claim the money raised at these sales. Commissioners needed to first provide local justices of the peace with the names of whose estates they had seized since 1777. These justices would then gather a grand jury of twelve to twenty-four county residents. If these men indicted the departed Loyalist for violating the state's treason laws the accused individual was ordered to appear at the next session of the court of common pleas.<sup>95</sup> If the Loyalist returned,

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<sup>94</sup> William Livingston to Nathaniel Scudder, April 9, 1778, *The Papers of William Livingston*, Volume 2, 284-285.

<sup>95</sup> "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

posted a £1,000 bond, stood trial, and was found not guilty he would maintain his property rights. If he failed to appear at court of common pleas or returned and was found guilty, the commissioners had the authority to begin selling their personal estate and leasing their real estate to the public. Commissioners, however, needed to first advertise upcoming sales in five public places throughout the county and in the state's first newspaper, *The New Jersey Gazette*. This provision was designed to ensure that all residents interested in buying Loyalists' personal items or their real estate knew of the sale and also had sufficient time to raise the necessary cash.<sup>96</sup> Residents in possession of or aware of the existence of the Loyalists' assets, bonds, or mortgage notes were required to notify the commissioners to ensure that all debts owed to the Loyalist's estate or by the Loyalist's estate would be settled. The legislature strengthened this law on December 11, 1778 by granting commissioners the power to sell Loyalists' real estate rather than lease it. Livingston was not pleased with the lengthy delay that preceded this legislation, but he did approve of the final product. On January 2, 1779 he informed his cousin Walter Livingston that New Jersey's newest law governing the seizure and sale of Loyalist estates was a "very comprehensive, & sufficiently severe" retribution against these "Scoundrels."<sup>97</sup>

Loyalist estate sales in Essex County between 1779 and 1780 reflected the government's new punitive policies towards departed Loyalists as well as the Essex population's desire to sever all ties with these former residents. The rampant inflation of

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appointed to Seize and dispose of Such Personal Estates, and for ascertaining and discharging the lawful Debts and Claims thereon," April 18, 1778 in *Acts of the Council and General Assembly of the State of New Jersey*, Volume 9 and Ruth M. Keeseey, "New Jersey Legislation Concerning Loyalists," *Proceedings of the New Jersey Historical Society*, No. 79 (1961), 88-89.

<sup>96</sup> Ibid. An example of a commissioner's postings can be found in the December 16, 1778 *New Jersey Journal*.

<sup>97</sup> William Livingston to Walter Livingston, January 2, 1779 in *The Papers of William Livingston*, Volume 3, 10-12.

New Jersey's currency greatly reduced the government's ability to use these sales as means to fund its war effort, but they effectively eliminated the last foothold that Essex Loyalists had in the region. They had lost their political rights by maintaining their allegiance to the state's wartime enemy, and their social standing plummeted as a result of the emotional and financial devastation British and Loyalists soldiers inflicted on the local population. By 1779, the only thing linking Essex Loyalists to their former communities was their desire to reclaim their abandoned property, and the renewed estate sales dissolved this economic tie by transferring ownership of their real estate to other residents. Between 1778 and 1780, grand juries filed inquisitions against one hundred and twenty departed Essex Loyalists, and estate commissioners were quick to organize real estate auctions when these individuals failed to report to the court of common pleas.<sup>98</sup> On January 25, 1779, Joseph Hedden Jr. and Samuel Hayes alerted the public of their intent to auction off the real estate of twenty-eight departed Newark and Acquackanonk Loyalists at the house of Captain Josiah Pierson of Newark. These sales would commence on March 1 and continue "from day to day, until the whole is sold."<sup>99</sup> On March 10, John Clawson and Daniel Marsh advertised the sale of the eighteen Loyalist estates in Rahway scheduled to begin two weeks later at the home of Captain John Craig.<sup>100</sup> These sales, and dozens like them across the county, deprived Loyalists of every asset they had acquired in their lifetime without compensation. In many cases, real estate auctions sales permanently ended Loyalists' rights to land that had been in their

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<sup>98</sup> Records of the Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Section 5.

<sup>99</sup> *New Jersey Gazette*, unspecified date in *ASNJ*, Second Series, Vol. 3, 1779, 47-48.

<sup>100</sup> *New Jersey Gazette*, March 10, 1779.

family's possession since the first British colonists settled in Essex between 1664 and 1666.

The economic losses suffered by Essex Loyalists during the real estate auctions of 1779 and 1780 were far more devastating than the losses accrued at the personal estate auctions of 1777. Loyalists' personal estates consisted of the material goods purchased with the wealth generated from their farms and businesses and could therefore be replaced over time. Real estate auctions, however, deprived Loyalists of their houses, fields, stores, mills, and docks. The seizure and sale of this property not only deprived Loyalists of their most valuable assets but also the ability to produce any future revenue within Essex County. For example, Robert Drummond lost £117 worth of goods in July 1777 including a valuable colt, several expensive mirrors, and the wheat he had planted in one of his fields.<sup>101</sup> In March 1779, Essex commissioners sold three tracts of Drummond's land to three separate buyers for a total of £1,744. John Drummond purchased 94.5 acres for £1,260, Henry King purchased one meadow for £144, and Robert Neil purchased a "dock of improvements" for £340.<sup>102</sup> Adjusting for inflation, this real estate was worth approximately five times more than the vast array of household items and economic resources sold two years earlier.<sup>103</sup> Without these assets Drummond had no means to provide for his family, and his life as a farmer and merchant in Acquackanonk had come to a close.

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<sup>101</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, NJSA, Trenton.

<sup>102</sup> *Ibid.*

<sup>103</sup> Edward A. Fuhlbruegger, "New Jersey Finances During the American Revolution," *Proceedings of the New Jersey Historical Society*, Vol. 55, No. 3 (July, 1937), 173. Fuhlbruegger concludes that New Jersey's currency fell to approximately 1/3 its face value between 1779, and the price difference of certain commodities at 1777 and 1779 personal estate sales support his conclusion. For example, the average price of a cow sold increased from approximately £10 in 1777 and £30 in 1779.

Many prominent Essex Loyalists suffered far greater economic losses at real estate auctions than Drummond. Uzal Ward was an affluent farmer and stonecutter from Newark who owned several houses in the region. The revenue generated from his personal farm as well as the rents he collected from tenant farmers made Ward a very wealthy man, but Ward's economic standing changed forever in 1779. Estate sale commissioners leased or sold three houses owned by Ward, and they also sold several meadows and 31 acres of unspecified land between March 2 and April 2, 1779. The commissioners received over £3,400 for Ward's real estate, but these significant economic losses were a mere fraction of those inflicted upon Newark's most prominent landowner, David Ogden.<sup>104</sup> Following the Revolution, Ogden estimated that the New Jersey government seized from him real estate worth approximately £15,731 British sterling, and his estimated real estate losses accounted for 85% of Ogden's petition for Parliamentary compensation.<sup>105</sup> Commissioners auctioned a large portion of his vast land holdings in March and April 1779. Thirty-three Essex residents purchased parts of his estate including five "meadows," two tracts of "home and lot," and 880 acres of an unspecified land.<sup>106</sup> In a five-week period the sale of David Ogden's real estate raised

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<sup>104</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, NJSA, Trenton. This total only includes auctioned lots with the word "paid" written next to it. For example, Elias Baldwin is listed as the purchaser of 22.7 acres of "Great Swamp, No.1" for £650, but this transaction is not listed as paid and therefore removed from these calculations.

<sup>105</sup> William H. Shaw, *History of Essex and Hudson Counties, Volume 1* (Philadelphia: Everts & Peck, 1884), 48-50.

<sup>106</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, NJSA, Trenton. This total only includes auctioned lots with the word "paid" written next to it. If the seven purchases not marked as "paid" are included in this total the total real estate sold increases to 1,013 acres for a total of £20,338.

over £17,000 for the state government and made hundreds of acres of land available to residents.<sup>107</sup>

Essex County's 1779 Loyalist real estate auctions remained large social events that gave both poor and wealthy residents a chance to extract revenge against the region's Loyalist population and rewarded the supporters of the Revolution with opportunities to improve their own economic standing. Table 4.2 illustrates that the region's poorest residents continued to attend these auctions, and some acquired rights to departed Loyalists' lands. For example, William King was a poor Newark resident who owned only twenty-three acres within the town. An estate of this size could only be used for subsistence level agriculture according to historian John Rutherford, and King paid only £1.7 in taxes in February 1779.<sup>108</sup> King, however, leased the rights to "1/2 the Saw Mill of Joseph Kingsland" for £20 at an April 26, 1779 estate sale, and this property would greatly increase his revenue for that year.<sup>109</sup> Similarly, John Duran of Newark owned only four acres of land and several draught animals in 1779, but he managed to secure the £100 needed to purchase twenty-seven acres of David Ogden's estate on March 29, 1779.<sup>110</sup> Single women also joined poor white men at Loyalist real estate auctions in Essex County. Mary Williams purchased several tracts of land from the estate of Nathaniel Williams in March and April of 1779. She bought the "house and land," two separate tracts containing 11.7 and 14.5 acres each, and one meadow for a total of £227.

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<sup>107</sup> Ibid. Ogden's estate, however, would frustrate Essex commissioners and the state legislature for years because he took all his financial records with him leaving minimal written account of the debts he owed or the debts owed to him. A petition by his patriot son Abraham led to the November 23, 1785 "Act for transferring the Residue of the Confiscated personal Property late of David Ogden, Esquire, and for the Relief of Person liable to Fines and Forfeitures for Concealing Debts and Other Property forfeited to this State."

<sup>108</sup> Tax Ratables, Box 99, Essex County, Newark Township, February 1779, NJSA, Trenton.

<sup>109</sup> Ibid. and Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, NJSA, Trenton.

<sup>110</sup> Ibid.

Although the estate sale commissioners did not record her transaction as “paid” like most others, Williams did acquire this land. She is not listed among Newark residents owning taxable property in February 1779, but tax collectors list her as owning 40 acres in Newark by 1781.<sup>111</sup>

**Table 4.2 – Average Wealth of Loyalist Real Estate Sale Participants**

Tax Rates, 1779	% of Documented Tax-Paying Population	% of Documented Tax-Payers, August 1778-September 1779 Personal Estate Sales	% of Documented Taxpayers Purchasing Real Estate 1779-1780 <sup>112</sup>	Ratio of Real Estate Purchasers % to Overall Taxpayer %
0-£1	24.4%	24%	9.1%	0.37 to 1
£1.05-£2	21.5%	22%	18.2%	0.85 to 1
£2.05-£3	11.6%	14%	9.1%	0.78 to 1
£3.05-£4	10.1%	10%	14.5%	1.44 to 1
£4.05-£5	7.2%	8%	14.5%	2.01 to 1
£5.05-£7.5	12.8%	6%	16.4%	1.28 to 1
£7.55-£10	4.7%	4%	4.4%	0.94 to 1
£10.05 - £12.5	2.9%	8%	1.8%	0.69 to 1
£12.55 +	4.3%	4%	10.9%	2.53 to 1

Although poor residents had the opportunity to acquire real estate at Essex County’s 1779 and 1780 real estate auctions, they were far less successful here than at Loyalist personal estate auctions. Table 4.2 illustrates that individuals paying under £2 in

<sup>111</sup> Ibid.

<sup>112</sup> Tax Ratables, Box 99, Essex County, Newark Township, February 1779 at NJSA, Trenton. Statistics tabulated from the 55 of 81 real estate purchasers documented as Essex taxpayers and those with reliable tax information. Purchasers with common names such as “John Smith” or “Mrs. Sayres” were not included in this table as there is no way to determine which taxpayer by that name was the individual at the estate sale.

taxes in 1779 account for nearly half of the Essex population and half of all those purchasing the household items found at personal estate auctions. This impoverished population, however, accounted for only one quarter of those leasing or buying land abandoned by Loyalists. Real estate auctions were governed by a strict set of rules that greatly favored wealthy landowners or businessmen looking to expand their already significant holdings throughout the county. Historian Dennis Ryan asserts that real estate auctions victimized many poor residents who had been renting farmland from wealthy Loyalists because once this land was purchased at auction its new owners could remove them from it.<sup>113</sup> Furthermore, the rules governing estate auctions made it difficult for poor residents to acquire real estate. The commissioners required cash payments at estate sales and could not accept credit or mortgages as a form of payment, and this policy effectively disqualified poor farmers from real estate auctions. Lastly, much of the land made available by Loyalist estate commissioners was not ready for immediate cultivation and would require a significant investment of time and money before it could be used to grow crops. Commissioners sold many tracts of swampland that was of little use to poor farmers seeking arable land. The numerous meadows sold at these auctions were better suited for wealthy farmers who needed open land for their horses, cattle, and sheep to graze. Poor men without a significant numbers of animals would need to invest both time and money turning the available meadows into farmland that effectively reduced their appeal at estate sales. Because of these limiting factors, the majority of real estate auctions within Essex County did not provide new economic opportunities to the region's poor but rather helped wealthy residents maintain the socio-economic status quo.

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<sup>113</sup> Dennis P. Ryan, "Six Towns: Continuity and Change in Revolutionary New Jersey, 1770-1792," 263-265

Essex County estate sale records from the spring of 1779 also illustrate that the region's most prominent landowners and successful businessmen primarily acquired the land seized from Loyalists. For example, Thomas Taylor ranked among the top 13% of all Newark landowners with an estate of 100 acres in February 1779. Such an estate would make Taylor a well-respected member of Newark society, but Taylor's land was worth much less than farms of comparable size according to tax collectors.<sup>114</sup> Taylor utilized the Loyalist estate sales as a means to increase both the quantity and quality of his land in Newark, and he purchased 240 acres from the estate of David Ogden for a total of £706.<sup>115</sup> Taylor greatly enhanced his prior status as a prominent landowner through this single purchase, and affluent businessmen like Robert Neil who owned little to no land in the county also used real estate auctions as a means to become respected landowners as well. Neil derived all of his wealth from his success as a Newark merchant. He was one of the richest men in Newark, but in February 1779 he owned only three acres throughout the entire town. In March and April of that year Neil purchased real estate previously owned by five different Essex County Loyalists. In a five-week period he acquired forty acres of unspecified land, three meadows, and one dock for a total of £2,485.<sup>116</sup> With these purchases Neil enhanced his already strong socio-economic position in the community and became both a successful merchant as well as a prominent Newark landowner.

The personal and real estate auctions held between 1779 and 1780 were of tremendous importance to Essex County's Revolutionary history. They redistributed the

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<sup>114</sup> Tax Ratables, Box 99, Essex County, Newark Township, February 1779 at NJSA, Trenton.

<sup>115</sup> Records of Commissioners of Forfeited Estates, 1777-1795, Essex County, Box 2, Folder 4.1, Sales of Personal Property, New Jersey State Archives, Trenton, NJ.

<sup>116</sup> Ibid.

valuable assets abandoned by Essex Loyalists, punished those who aided the British war effort by seizing all their property, and effectively severed Loyalists' final ties to their former communities. The increasingly punitive nature of estate seizure and sale laws, however, intensified Loyalist refugees' belief that they were the victims of an illegitimate and radical government and only strengthened their commitment to the British cause. Essex residents believed Loyalists' direct or indirect support for the British army's devastating raids on the region justified their participation as Loyalist estate auctions; Loyalist refugees similarly believed the seizure and sale of all their property in Essex justified the economic suffering that the British army's destructive raids inflicted upon their former neighbors. Loyalists faced economic ruin with the loss of their real and personal estates that only strengthened their previous belief that they were the victims of an unwarranted and increasingly radical political movement. According to one anonymous Loyalist author, Essex County estate sale commissioner Joseph Hedden Jr. was the "the most vile, base, and inhuman [man] ever known in a civilized country" who eagerly carried out a task that "Savages would blush to perform."<sup>117</sup> Following Hedden's capture by British forces in January of 1780, this author predicted that if Hedden was released in a prisoner exchange he would quickly resume his post and "be an instrument of persecution, ten-fold more cruel than ever."<sup>118</sup> Personal and real estate auctions in Essex County would be suspended in June 1781 due to an act of the legislature brought about by New Jersey's currency crisis, but the rift between the region's wartime

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<sup>117</sup> Unnamed newspaper, *ASNJ*, Second Series, Vol. 4, 239-240. The newspaper is most likely from a February or March 1780 edition of Rivington's *Gazette* since the piece is addressed to "Mr. Rivington."

<sup>118</sup> *Ibid.*

population and Loyalist refugees had already become seeming irreparable.<sup>119</sup> These sales sought to permanently remove Loyalists' lingering economic ties to their former communities, but they also eroded any lingering feelings of camaraderie or compassion that Loyalists might have felt for those who eagerly took what their families had spent a lifetime acquiring.

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Essex residents who supported American independence were stunned by the British army's highly destructive invasion and occupation of their communities in November and December 1776. They responded to this devastation with a widespread and deep-seeded hatred against those individuals known to have aided or suspected of aiding the British. Despite this popular emotional response, the region's leadership adopted lenient policies that gave Loyalists another chance to support the Revolution. Washington and Livingston sought to win the allegiance of as many people as possible and granted Loyalists numerous opportunities to swear oaths and receive amnesty, and state's judicial bodies often let those who initially refused these oaths go unpunished throughout 1777. Following these early attempts to win support, however, the New Jersey government embraced a series of escalating measures that would ultimately remove the influence Loyalists refugees from Essex would have on the region. The local militia forcibly removed the wives of departed Loyalists from their home and escorted them to enemy-held territory to join their husbands. The state government seized the personal assets abandoned by Loyalists during their 1777-1778 exodus from Essex and used the revenue raised from public auctions as an incentive for departed Loyalists to

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<sup>119</sup> Keesey, "New Jersey Legislation Concerning Loyalists," 90-91. The estate sales would resume after the war in December 1783, but concerns over currency and corruption caused the legislature to suspend sales again in August 1784.

return and become citizens. By 1778, however, the government had adopted its most punitive measures against Loyalist by taking possession of both their personal and real estate as well as all the proceeds from the public sale of these assets. Eighteenth-century governments frequently used such measures during times of war as a means of suppressing internal dissidents, but these increasingly punitive measures further dissolved the social bonds that had once united Essex Loyalists with the rest of their communities. Loyalists' direct and indirect support for British army's destructive raids into Essex increased the new estate seizure and sale law and brought economic ruin to displaced Loyalists. In June 1780, the British army launched another full-scale invasion of Essex in an attempt to permanently re-establish Parliament's authority within the region. British soldiers would inflict unprecedented property destruction during this devastating assault upon Essex communities, and as chapter six will demonstrate, they did so with the full support of displaced Essex Loyalists.

## Chapter Five -- "Most Boundless Avarice": Illegal Trade in Revolutionary Essex

Over one thousand men from Essex County rendered some form of military service in the Revolutionary War, and few Essex residents served the war effort as readily or in as many different capacities as Baker Hendricks of Elizabethtown. In 1777 Hendricks accepted an assignment as a spy on Staten Island from Colonel Elias Dayton of the Continental Army and successfully gathered information concerning the island's inhabitants and defenses for George Washington. Hendricks also served monthly tours in the Essex militia in 1780. He was elected as captain of his regiment, and in June 1780 he was wounded in his left arm while fighting to repel a large-scale British invasion of Essex County. His injuries, however, did not prevent him from continuing to fight British and Loyalist forces. In May 1781 he and thirteen others traveled to Staten Island to retaliate against a recent Loyalist raid that stole fifty cattle from Elizabethtown residents. British forces engaged Hendricks's raiding party during this incursion and killed one of his men, captured another two, and wounded Hendricks before he and the rest of men escaped back to New Jersey. In 1781, Hendricks also received a commission as captain of an armed whaleboat from Governor William Livingston. He acted as a privateer attacking British vessels near Staten Island and often returned from his voyages with provisions, weapons, and prisoners captured from both enemy vessels and enemy territory like nearby Bergen Neck.<sup>1</sup>

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<sup>1</sup> "Hendricks, Baker," Department of Defense, Adjutant General's Office, (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, New Jersey State Archives (NJSA), Trenton and Phillip Papas, *That Ever Loyal Island: Staten Island and the American Revolution* (New York: New York University Press, 2007), 86-88.

Baker Hendricks's lengthy and diverse military career throughout the American Revolution personified the military sacrifice that Whig authors believed was necessary to secure independence. Despite his career as a spy, militia officer, and privateer, however, Baker Hendricks did not secure a reputation as war hero among New Jersey's political leaders or in the work of early historians chronicling Essex residents' role in the conflict. His legacy as a brave Patriot twice wounded by British and Loyalist soldiers was forever tarnished by his willingness to conduct illegal trade with those same forces. Continental Army spies on Staten Island often sold goods to their enemies as a means to gain trust and maintain their cover, but according to Governor Livingston Hendricks "carried to the Enemy greater Quantities of Provisions than necessary to disguise [his] design in going to the Island."<sup>2</sup> This smuggling operation stirred a "popular clamour" against Hendricks and his colleagues, but he managed to avoid prosecution most likely through the intervention of George Washington who requested his release from state custody.<sup>3</sup>

Hendricks, however, continued to use his military authority as a means for personal profit and similarly abused his commission as privateer in 1781. Whaleboat captains such as Hendricks could earn a great deal of money by personally smuggling goods into enemy lines or by transporting smugglers and their merchandise in exchange for a fee. Livingston accused Hendricks of illegal trade on Staten Island and conducting unwarranted attacks on its civilian population in 1782 and soon after revoked his commission.<sup>4</sup> Hendricks's smuggling activities ruined his reputation among many of his neighbors, and some Essex residents maintained their disdain for his wartime conduct

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<sup>2</sup> William Livingston to George Washington, January 28, 1778, *The Papers of William Livingston*, Volume 2, July 1777-December 1778, Carl E. Prince and Dennis P. Ryan, eds. (Trenton: New Jersey Historical Commission, 1980), 194-195.

<sup>3</sup> Ibid.

<sup>4</sup> Papas, *That Ever Loyal Island*, 87.

sixty-five years after the war's conclusion. In 1848, one surviving member of the Revolutionary generation provided the Reverend Nicholas Murray with a "List of Tories in Elizabethtown" to help with Murray's biography of the local war hero, the Rev. James Caldwell. This list included residents who sought refuge behind enemy lines and guided British raiding parties into Essex communities, but joining such notorious Loyalists as Cornelius Hatfield Jr. and Abner Badgely on this list was the spy, soldier, privateer, and smuggler Baker Hendricks.<sup>5</sup>

Hendricks was one of many Essex residents who participated in illegal travel and trade between enemy lines. Military and political leaders such as George Washington and William Livingston regarded such activity as a clear betrayal of the war effort as it provided the enemy with materials to use in its campaign while simultaneously denying those provisions to the Continental soldiers charged with America's defense. Although Washington and Livingston frequently pursued stronger measures to eliminate illegal trade, this practice persisted in Essex throughout the war effort demonstrating that much of its population did not regard it as a particularly egregious crime. Rather than comply with the demands of New Jersey's political and military leaders to end this trade, many Essex residents not only ignored state laws concerning trade with the enemy but also extended leniency and forgiveness to those guilty of such crimes. Essex residents charged with providing goods to the enemy were rarely punished to the fullest extent of the law, and very few suffered significant or lasting damage to their reputations like Baker Hendricks. Rather than waste away in prison or face social and legal pressure to emigrate to British lines, Essex residents convicted of illegal travel or trade remained

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<sup>5</sup> Nicholas Murray (1802-1861) Papers, Manuscript Group 384, New Jersey Historical Society (NJHS), Newark.

politically and socially active members of their communities for the remainder of the war despite the public's knowledge of their guilt. This chapter examines the Essex population's response to ongoing trade between their communities and their wartime adversaries and their willingness to ignore popular ideological beliefs in order to satisfy their economic desires.

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In June 1777 General William Howe of the British army ordered his soldiers to abandon their final two bases in New Jersey at New Brunswick and Perth Amboy located several miles from Essex County's southern border. These troops left New Jersey after their seven-month occupation of the state, but they but did not travel far after evacuating; they maintained their base of operations in New York City and quickly launched a campaign against Philadelphia. The close proximity between British forces and the New Jersey population allowed these wartime adversaries to engage in economic activity. Despite their irreconcilable political differences, many New Jersey residents saw the British as a means to satisfy their material wants and needs throughout the conflict. Residents from all regions of New Jersey interested in trading with British soldiers or their Loyalist allies could find means to do so. Those who lived near the New Jersey coast sailed to and from New York City or Staten Island to trade with their enemies. Those living further from the coast maintained commercial relations with enemy forces near New York City by selling their goods to residents of New Jersey or New York who could more easily convey them to British soldiers and Loyalists. Even the Quaker population of western New Jersey located a great distance from the British garrison in New York City and Staten Island found means trade with the British forces. They too

utilized middlemen to convey goods to the British army and seized the opportunity to trade directly with these troops when they occupied Philadelphia in the winter of 1777-1778.<sup>6</sup> The British army was responsible for widespread property damage and loss of life in New Jersey throughout the war, but residents from across the state were nonetheless willing to maintain commercial relationships with them.

The ongoing commerce between New Jersey citizens and British soldiers was a problem that occurred throughout the entire state, but it was especially rampant in Essex County. Historian Leonard Lundin states that eastern New Jersey communities like Shrewsbury, Middletown Point, and Perth Amboy were “supply centers” for British soldiers and Loyalists, but he argues that Elizabethtown was “the center of flourishing commerce” with the enemy.<sup>7</sup> Residents across Essex took advantage of both the short distances that separated their communities from British garrisons and the relative ease with which they could travel to and from enemy territory. Inhabitants of northern Essex communities like Acquackanonk or Newark could easily trade with British merchants or their envoys in nearby Bergen County located immediately north of Essex and west of New York City. The proximity of Bergen County to the British garrison in New York City greatly weakened the New Jersey government’s authority in the region, and British troops, Loyalists, and merchants could easily travel throughout Bergen for much of the war. Essex residents could also trade with the British on Staten Island by traveling across the narrow 600-700 foot channel separating Staten Island from Essex shores. Those who

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<sup>6</sup> David Alan Bernstein, “New Jersey in the American Revolution: The Establishment of a Government Amid Civil and Military Disorder, 1770-1781,” (Ph.D. Diss., Rutgers University, 1970,) and David Alan Bernstein, “William Livingston: The Role of the Executive in New Jersey’s Revolutionary War,” in *New Jersey in the American Revolution* (1972), 275.

<sup>7</sup> Leonard Lundin, *Cockpit of the Revolution: The War for Independence in New Jersey* (Princeton: Princeton University Press, 1940), 377.

lived near the Essex coastline could easily travel to Staten Island, conduct trade, and return home in only a few hours, and their knowledge of local geography helped them evade the American military units monitoring the Essex coast.<sup>8</sup> The Continental Army regiments and militia stationed in Essex throughout the war lacked the manpower necessary to effectively patrol the entire Essex coastline. Soldiers in New Jersey repeatedly failed to detect enemy raiding parties that ranged between one dozen and several hundred soldiers; a single man or woman familiar with the region and interested in illegal trade would have even less difficulty traveling undetected between enemy lines.

Commerce between Essex residents and British forces, or the “London Trade” as it was often called, was a continuous source of frustration for passionate Whigs who regarded such behavior as an act of disloyalty that directly threatened American independence. Although popular sentiment against the British government and the British army intensified throughout the conflict, Essex residents’ proclivity for trade with their enemies did not decrease over time. The local population began smuggling items to and from Staten Island immediately after the British army’s evacuation of New Jersey on June 30, 1777. Six weeks later an Essex Grand Jury petitioned Governor Livingston informing him “that Essex residents have corresponded and traded with the enemy.”<sup>9</sup> Despite the numerous measures the government employed to combat this trade, nearly one hundred Essex residents petitioned the state government in June 1781 and again in

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<sup>8</sup> Ibid., 379-380. The timeframe of several hours for roundtrip travel between the Essex coast and the British garrison on Staten Island was deduced from the timetable of events that led to General Philemon Dickinson’s failed 1778 invasion of Staten Island. Dickinson was concerned with the threat of British spies in Essex and therefore kept his plan to attack from his troops until 8:00 the night of the invasion. However, a single Essex resident saw the Continental Army forces preparing their invasion and managed cross the channel and reach the British commanders so quickly that the British army had hours to strengthen their defenses before Dickinson’s forces arrived in the middle of the night.

<sup>9</sup> Essex County Grand Jury to William Livingston, August 13, 1777, *Papers of William Livingston*, Volume 2, 27.

November of that year to do more to combat the practice. Their strongly worded petition claimed that state laws prohibiting both travel and trade across enemy lines were “too frequently evaded” by “disaffected” residents. The petition reflected its signers’ immense frustration with this situation and proposed several new and controversial means to combat this crime. It called for an increase in both the number of state agents charged with guarding the Essex coastline and their power to search the homes and businesses of suspected smugglers in the region. The petitioners also demanded that stronger legal penalties be enforced against merchants who bought goods from suspected smugglers or sold goods to the general public that had been illegally acquired from enemy territory.<sup>10</sup> Despite some residents’ strong objections to this practice, New Jersey’s government could not effectively deter it, which made the London Trade a prominent characteristic of Essex County’s Revolutionary history.

This illegal commerce flourished in Essex County because it provided residents a means to acquire highly sought after British goods that had not been available in the region since the early 1770s. America’s Whig leadership sought to utilize the colonists’ economy as a political weapon in their struggle with Parliament and had successfully enforced boycotts against British merchants active within the colonies. Many Americans, however, had difficulty letting go of the wondrous goods British merchants had made available to them. Throughout the eighteenth century the colonists’ eagerly consumed the food, beverages, ceramics, linens, and other commodities produced throughout Britain’s global empire. By 1773 the two million British colonists living in America

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<sup>10</sup> “Petition of Inhabitants of Essex County to the Legislative Council & General Assembly Concerning Trading with the Enemy, June 8, 1781,” Bureau of Archives and History, Legislative Records, Box 1-14, Folder 69, NJSA, Trenton.

purchased nearly 26% of all domestic manufactures exported from Great Britain.<sup>11</sup> As historian T.H. Breen argues, “for all their discontent Americans did not want to forego the pleasure of consuming” British goods in the years before the Revolution.<sup>12</sup> Some Americans opposed to Parliament’s recent changes in imperial policy were compelled to embrace these boycotts by force or intimidation from passionate Whigs in their community. The appearance of British troops and supply lines around New York City in 1776, however, granted Essex residents who still longed for the exotic, diverse, and high quality items found within the British Empire the chance to satisfy their material cravings.

One product that the Essex population was eager to acquire from behind British lines was tea. Hessian mercenaries fighting in the Revolution marveled at Americans’ love for tea. Philipp Waldeck, a Hessian chaplain stationed on Staten Island following the British evacuation of New Jersey, wrote on January 19, 1778

it is impossible in traveling through North America to find a single house, from that of the fanciest gentleman to that of the oyster digger, where people do not drink a cup of tea at midday. The men could sooner get their wives to give up their finery than to do without tea . . . It is not only the ladies that are so addicted to tea, but also the men who break from work at three o’clock in order to sit down to a cup of tea.<sup>13</sup>

Americans’ love of tea was so great that Waldeck believed, “if a law were passed making tea-drinking illegal, I do not doubt for a moment that the entire population would take up arms and begin a rebellion such as now exists.”<sup>14</sup> Tea drinking was not illegal in

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<sup>11</sup> T.H. Breen, *The Marketplace of Revolution: How Consumer Politics Shaped American Independence* (New York: Oxford University Press, 2004), 61

<sup>12</sup> *Ibid.*, 210-234.

<sup>13</sup> Philip Waldeck, *A Hessian Report On the People, the Land, the War As Noted in the Diary of Chaplain Philipp Waldeck (1776-1780) – Eighteenth Century America*. Translated from Hessian Manuscript #28 of the Bancroft Collection in the New York Public Library by Bruce E Burgoyne (Bowie, MD: Heritage Books, Inc, 2003), 59.

<sup>14</sup> *Ibid.*, 59.

America during the Revolution, but loyal Americans were expected to procure their tea from other sources than British merchants. Many Essex residents, however, could not resist the allure of the British tea available behind enemy lines. In the summer of 1777, Elizabethtown resident Benjamin Hatfield was arrested for transporting rum, tea, and sugar into Essex from Staten Island.<sup>15</sup> In December 1780, Newark resident Jonathan Wade captured Jasper Tenbrook as he entered Essex with a variety of British commodities such as pepper, nutmeg, and several pounds of tea that were subsequently seized and sold at public auction.<sup>16</sup> In June 1781, Abner Price was likewise apprehended returning from British-occupied territory carrying tea, lemons, and sugar along with other various goods that he had acquired from British forces.<sup>17</sup> British tea had been a politicized good since Parliament's Tea Act of 1773, and ardent Whigs regarded Americans' boycott of tea as a sign of patriotism. Demand for British tea nonetheless remained strong within Essex throughout the Revolution.

Essex residents demonstrated a similar desire for the fine linens or silks necessary to make the high-quality clothing they had grown accustomed to wearing throughout the colonial era. Homespun cloth had been produced in New Jersey prior to the Revolution, but the market for homespun clothing was very small since imported British cloth was vastly superior in quality. Throughout the war Governor Livingston encouraged citizens to wear homespun clothing and maintain sheep for wool production rather than a source of food, but neither the low cost of homespun nor Livingston's appeal to residents'

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<sup>15</sup> New Jersey Council of Safety Records, 1776-1781, Folder 149, New Jersey State Archives, Trenton, NJ.

<sup>16</sup> "Account of Public Vendue, Essex County, December 1780," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 93. NJSA, Trenton, NJ.

<sup>17</sup> Account of Public Vendue, Elizabethtown, June 4, 1781, Bureau of Archives and History, Legislative Records, Box 1-37, Folder 96. NJSA, Trenton.

patriotism quenched the Essex population's desire for European fabrics.<sup>18</sup> In June 1781, Continental Army spy Jonas Crane informed fellow Newark residents Caleb and Anna Bruen of his plan to travel to Bergen Point and collect a "parcel of British goods." Anna Bruen asked him to secure "a piece of broadcloth for a coat for one of her Sons," while he was behind enemy lines. Crane, however, was unable to deliver it as he was apprehended on his way back to Newark by local authorities who confiscated all the items he procured.<sup>19</sup> Anna Bruen was interested in producing only one particular item of clothing, but other Essex residents smuggled enough fabric and accessories from enemy lines to create an entire wardrobe. In April 1780, Newark resident Gilbert Smith was apprehended by local troops as he carried a large and diverse assortment of goods from British lines. Smith had with him over thirty yards of French silk, twenty-one yards of linens, several bags of cotton, and dozens of buttons which sold for a total \$8,000 when auctioned by the Revolutionary government.<sup>20</sup> Jasper Tenbrook similarly smuggled numerous fashion items from enemy territory in addition to British tea, sugar, and lemons. Revolutionary authorities apprehended him coming from enemy lines in December 1780 and seized the shoes, buckles, ribbons, gloves, and lace that he had acquired from the enemy.<sup>21</sup>

In exchange for these British commodities or luxury items, Essex residents provided British soldiers and Loyalist refugees the military provisions necessary for their campaign against American independence. The British forces involved in the London

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<sup>18</sup> James H. Levitt, *New Jersey's Revolutionary Experience*, Volume 9, *New Jersey's Revolutionary Economy* (Trenton: New Jersey Historical Commission, 1975), 20.

<sup>19</sup> New Jersey Supreme Court Case Files, Judgment and Process Book N, #134, May 1776-June 1782, No. 28, Case #34621.

<sup>20</sup> "Account of Public Vendue, Newark, April 29, 1780," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 88. NJSA, Trenton.

<sup>21</sup> "Account of Public Vendue, Elizabethtown, June 4, 1781," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 96. NJSA, Trenton.

Trade had little need for the tea, fabric, and the other accessories they traded to Essex residents. The items they desired most from the Essex population were those that would increase both the military strength and morale of British soldiers: horses, wagons, flatboats, baggage, soap, tar, pitch, and food supplies such as bacon, beef, pork, grain, and flour.<sup>22</sup> When British forces first arrived on Staten Island in late June 1776, the local population welcomed Howe's army and readily sold British soldiers whatever they required. As the war progressed, however, Staten Island inhabitants could not meet the material needs of the British garrison. Economic regulations imposed by British officers on the Staten Island population failed to produce adequate provisions for the soldiers stationed there, and British troops therefore welcomed the arrival of Essex residents looking to trade on the island.<sup>23</sup>

The people of Essex conveyed many different types of military supplies to enemy forces, but by far the most frequently traded item was food, especially meat. Hungry British soldiers paid handsomely for any type of meat from New Jersey, and Essex residents were more than willing to provide it for them. In late 1777 Joshua Winans of Rahway and four other Rahway residents were apprehended by Revolutionary forces while transporting a large quantity of beef to Staten Island.<sup>24</sup> That same year, James Furlough transported twenty-two fowl and four quarters of mutton that he had purchased in Bergen County to New York City before he was arrested for that crime.<sup>25</sup> Similarly, Benjamin Hatfield was also apprehended in 1777 for conveying four quarters of mutton

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<sup>22</sup> Bernstein, "New Jersey in the American Revolution," 275 and Papas, *That Ever Loyal Island*, 71.

<sup>23</sup> Papas, *That Ever Loyal Island*, 101.

<sup>24</sup> *Minutes of the Council of Safety of the State of New Jersey* (Jersey City: J.H. Lyon, 1872), 186.

<sup>25</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #35313.

to Staten Island.<sup>26</sup> The demand for food supplies in New York and Staten Island persisted throughout the conflict and was not significantly affected by the decision of British leaders to shift their military efforts to the American South after 1778. In 1780, Rahway resident Lewis Brant attempted to transport ten sheep and ten ducks to Staten Island before he was detained by militia forces along the coast and his goods auctioned to the public.<sup>27</sup>

In addition to food, Essex residents frequently transported draught animals such as horses or oxen to British soldiers and Loyalist refugees. Eighteenth-century armies required large numbers of draught animals to haul carts loaded with provisions and heavy artillery. Although transporting horses and oxen strengthened the supply lines and mobility of the British army, Essex smugglers were willing to do so in exchange for prized British goods. On September 10, 1781, Caleb Hatfield, a farmer from Newark, sold one horse to enemy forces on Staten Island before returning to Newark that same day.<sup>28</sup> One year later, Elihu Woodruff of Elizabethtown was apprehended bringing several items to Staten Island including one ox.<sup>29</sup> These smugglers likely had numerous animals working their farms and believed they could part with one, but some Essex residents were willing to provide their enemies with large teams of animals at once. In 1782, Caleb Baldwin of Newark transported two horses to enemy territory. One year earlier, Abraham Van Riper tried to simultaneously bring three oxen and two cattle to

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<sup>26</sup> New Jersey Council of Safety Records, 1776-1781, Folder 27, NJSA, Trenton.

<sup>27</sup> "Accounts of Public Vendue, Essex County, April 1780-March 25, 1783," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 86, NJSA, Trenton and New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #34094.

<sup>28</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #35947.

<sup>29</sup> "Accounts of Public Vendue, Essex County, April 1780-March 25, 1783," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 86, NJSA, Trenton and New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #39556,

British lines before militia units apprehended him and seized his animals.<sup>30</sup> The British army had a consistent need for animal labor in their camps and frequently stole large numbers of horses, cattle, and oxen from Essex residents during raids on their communities. Many Essex residents, however, were willing to voluntarily convey these animals to the British in exchange for cash or goods.

The political leaders of Essex County were infuriated by their constituents' willingness to trade with their wartime adversaries and provide them with valuable military necessities. Abraham Clark of Elizabethtown was one of the region's most respected Whig leaders who served the public throughout the entire conflict. He was a delegate to the Continental Congress from 1776-1778 and again from 1779-1783, and during the yearlong interlude he served on New Jersey's Legislative Council. Clark was determined to eliminate the ongoing trade between New Jersey residents and British and Loyalist forces, and he frequently harassed the state's political and military leaders over the subject. Clark he wrote so many letters to Governor Livingston concerning the London Trade that he felt compelled to open one with an apology for "so frequently troubling [his] Excellency" about the issue.<sup>31</sup> Clark regarded himself as a champion of civil liberties and spent much of the war contesting both the growth of Continental Army's power and its role in the continuation of the London Trade. Clark despised the Continental Army's toleration of commerce between its spies and the enemy because such behavior was in direct violation of state law prohibiting trade across enemy lines. After one of Clark's business partners was arrested for illegal commerce with the British, Clark was dismayed that George Washington allowed this individual to keep his illegally-

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<sup>30</sup> Ibid. and New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #34016

<sup>31</sup> Ruth Bogin, *Abraham Clark and the Quest for Equality in the Revolutionary Era, 1774-1794* (Rutherford: Fairleigh Dickinson University Press, 1982), 29-30.

obtained raisins, sugar, tea, and handkerchiefs and serve the Continental Army as a spy.<sup>32</sup> As he did frequently throughout the war, Clark accused Washington of trampling the rights of New Jersey citizens and proclaimed that the general “cannot dispense with the laws of the state” or gather intelligence “at the expense of this State by encouraging Traitors.”<sup>33</sup> Clark maintained his crusade against illegal commerce throughout the entire war and even initiated unsuccessful court-martial proceedings against Colonel Sylvanus Seely of the Morris County militia for his alleged role in the London Trade.<sup>34</sup>

Governor Livingston had a strained personal relationship with Abraham Clark, but he shared his conviction that the London Trade needed to be stopped. Livingston regarded the ongoing commerce across enemy lines as a problem that deserved the full attention of the New Jersey government, its military forces, and all residents of the state. His public proclamations on the subject questioned the patriotism of smugglers and deemed them as “equally regardless of the blessings of peace and the calamities of war, the felicity of freedom and the horrors of bondage.”<sup>35</sup> Livingston’s private writings labeled the trade between New Jersey citizens and British soldiers or Loyalists as both “outrageous” and “atrocious.”<sup>36</sup> The widespread presence of such activity within his hometown of Elizabethtown was likely a source of great vexation for the governor.

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<sup>32</sup> Ibid., 29.

<sup>33</sup> Ibid., 29-30.

<sup>34</sup> *The Papers of William Livingston*, Volume 3, January 1779-June 1780, Carl E. Prince, Dennis P. Ryan, Brenda Parnes, Mary Louis Lustig eds. (New Brunswick, NJ: Rutgers University Press, 1986), 233n-234n, 281n-282n, 294, 347-348, and 398-399. Clark suspected Seeley of helping known Loyalists transport goods through New Jersey, having illegal goods delivered to his quarters, and granting permission for individuals to enter enemy lines. Seeley was unanimously cleared of all charges and continued to serve until the end of the war.

<sup>35</sup> Edward A. Fuhlbruegger, “New Jersey Finances During the American Revolution,” *Proceedings of the New Jersey Historical Society*, Vol. 55, No. 3 (July, 1937), 183.

<sup>36</sup> William Livingston to George Washington, November 22, 1777, *The Papers of William Livingston*, Volume 2, 120 and Court Martial Sentences of Jacob Crane, Isaac Gillam, and John Burnet, December 14, 1781, *The Papers of William Livingston*, Volume 4, July 1780-April 1783, Carl E. Prince, Mary Lou Lustig eds. (New Brunswick, NJ: Rutgers University Press, 1987), 347.

Livingston firmly believed that citizens who participated in illegal commerce with America's enemies deserved severe punishments for their crime. In December 1781, three officers of the Essex militia were found guilty in court martial proceedings charging them with drunkenness on the battlefield, neglect of duty, and participation in the London Trade. The committee sentenced the highest-ranking officer accused of such behavior, Lieutenant Colonel Jacob Crane of Westfield, to be cashiered from the militia. Such a penalty would strip Crane of his rank in a humiliating public ceremony and forever damage his reputation within his community, but Livingston did not believe this penalty was sufficient. He wrote that Crane's penalty was "more favourable than an officer of his rank had reason to expect for so atrocious a crime as that of trading with the enemy and allowing others to trade with them."<sup>37</sup> Livingston opposed the London Trade so fervently that he believed those found guilty of it should be subject to capital punishment, an opinion that George Washington also held. Livingston believed that "if any crime in the world deserve death, next to that of murder, it must be that of supplying an enemy in time of war, with the means of facilitating their continuing such war against one's own country."<sup>38</sup>

Livingston's strong desire for severe penalties against London Traders did not stem from personal maliciousness but rather his desire to bring the war to the fastest possible conclusion. He saw a direct connection between the illegal commerce and the British army's ability to quell the Revolution, and Livingston argued that smugglers "enabled" the enemy by helping them "continue their savage depredations" against the

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<sup>37</sup> Court Martial Sentences of Jacob Crane, Isaac Gillam, and John Burnet, December 14, 1781, *The Papers of William Livingston*, Volume 4, 347.

<sup>38</sup> William Livingston to George Washington, January 26, 1782. *The Papers of William Livingston*, Volume 4, 373.

New Jersey population.<sup>39</sup> As governor he had to consider the larger implications of what the people of Essex perceived as insignificant or relatively harmless economic transactions with British forces. While one individual might not transport enough materials to British lines to vastly improve the military capacity and morale of British soldiers, the provisions carried by thousands of New Jersey residents could. Individually their actions would not alter the course of the war, but collectively these residents flooded British lines with the resources America's enemies needed to restore Parliament's authority. Livingston recognized that the arrests made by local sheriffs or militia units, while symbolically affirming his new government's authority, did little to actually stop the widespread flow of goods into enemy hands. Individuals arrested on their way from enemy territory had already provided assistance to British forces, and nothing his government did to the guilty smugglers would bring these resources back. Those arrested on their way to enemy lines never had the opportunity to sell goods to the enemy, but Livingston knew that for every one man or woman apprehended there were countless others who consistently eluded capture. Livingston and Washington believed the New Jersey government needed stronger penalties against those they did apprehend in order to deter others from continuing this trade.

New Jersey's political and military leaders despised the sale of food and animals behind British lines because it not only increased the health, mobility, and morale of British soldiers but subsequently denied American soldiers access to these valuable resources. Such behavior was grossly unpatriotic and intolerable to Washington and Livingston because they were very familiar with the significant supply problems that plagued the Continental Army within New Jersey. While Essex residents smuggled food

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<sup>39</sup> Edward A. Fuhlbruegger, "New Jersey Finances During the American Revolution," 183.

and animals to New York City or Staten Island, Continental soldiers struggled to secure sufficient quantities of food, clothing, carts, and draught animals. The Continental Army's winter encampment at Valley Forge in 1777-1778 was arguably the most famous example of the severe hardships endured by Continental soldiers, but its soldiers actually experienced even more deplorable conditions during their 1779-1780 winter encampment several miles outside of Essex in Morristown, New Jersey. Continental Army surgeon James Thacher observed in January 1780 that famine was rampant throughout the Morristown camp. He wrote that he once "did not put a single morsel of victuals in my mouth for four days and as many nights, except a little black birch bark which I gnawed off a stick of wood, if that can be called victuals." According to Thacher, "Hunger, that Monster Hunger" drove many of the soldiers to such extreme lengths as roasting their old shoes or killing and eating their own dogs in desperate attempts to survive.<sup>40</sup> While these soldiers charged with protecting the lives and property of New Jersey residents starved, many of the people of Essex sold their food to the British forces on Staten Island.

The Continental Army also needed large numbers of carts and animals to maintain supply lines within New Jersey. The need for assistance from the New Jersey population was so great that state law provided Continental Army quartermasters the right to commandeer both carts and animals from citizens for a maximum of three consecutive days if they procured a warrant from a local justice of the peace. These measures would inconvenience Essex residents who needed their carts and animals to work their farms, but Livingston and other political leaders regarded such sacrifice as necessary to secure American independence. Despite the army's need for temporary access to valuable carts

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<sup>40</sup> James Thacher, *Military Journal of the American Revolution* (New York, New York Times and Arno Press, 1969), 172, 182.

and animals, many Essex residents chose to sell these supplies to the British and therefore permanently denied the Continental Army access to them.

Governor Livingston and the state legislature implemented numerous laws to prosecute smugglers who provided material assistance to the British and even labeled it as an act of treason soon after declaring independence. Illegal trade was one of the first issues addressed by the state legislature during its inaugural session in the autumn of 1776. Its members defined the act of giving “Aid or Comfort” to “adherents to the King of Great Britain” by supplying “any Kind of Provision of Warlike Stores” as an act of high treason, the most severe crime that one could be charged with during a time of war.<sup>41</sup> By defining trade with the enemy as an act of treason, New Jersey legislators equated it with such other traitorous acts as professing allegiance to King George III, providing intelligence to the British army, or levying war against the state. The New Jersey legislators had limited legal precedent to justify their inclusion of commerce with the enemy as an act of treason in 1776; historian Bradley Chapin argues that British “common law proscribed no clear rule as to whether or not trading with the enemy amounted to treason” at a time of war. During Great Britain’s numerous eighteenth-century wars for control of North America, some colonial governments regarded trade with their French or Indian enemies as merely a misdemeanor.<sup>42</sup> New Jersey lawmakers, however, believed such legislation was warranted considering the near collapse of the Revolutionary war effort following Washington’s disastrous retreat from New York in

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<sup>41</sup> “An Act to punish Traitor and disaffected Persons,” October 4, 1776 in *Acts of the Council and General Assembly of the State of New Jersey*, Volume 8, February 8, 1774-December 5, 1775 and September 11, 1776-April 13, 1778.

<sup>42</sup> Bradley Chapin, “Colonial and Revolutionary Origins of the American Law of Treason,” *the William and Mary Quarterly*, 3<sup>rd</sup> Series, Volume 17, No. 1 (January 1960), 4.

the autumn of 1776. To men like Livingston and New Jersey lawmakers, trade with one's wartime enemies one of the most serious offenses one could commit.

The New Jersey legislature frequently revisited the problem of illegal commerce throughout the war and repeatedly revised laws prohibiting trade with the enemy to find the most effective means to combat the ongoing problem. Laws passed after 1776 did not label wartime trade with the British as a treasonous offense, but legislators continued to proscribe the death penalty as a suitable punishment for those who provided material assistance to their enemies between 1776 and 1780. In June 1777, the legislature declared all New Jersey residents apprehended on their way to enemy lines and planning to enter British encampments as “guilty of a capital Felony and shall suffer Death accordingly” if convicted. This 1777 law proscribed only one other punishment for those found guilty of illegal trade, enlistment in the Continental Navy for the duration of the war.<sup>43</sup>

In December 1780, the New Jersey legislature revised its laws concerning illegal trade and no longer deemed it a capital offense. William Livingston and George Washington were likely disappointed by this revision, but the legislators replaced capital punishment with significant non-lethal penalties that closely resembled those applied to Loyalists who fled behind British lines during the war. The 1780 law granted the state government the power to strip individuals of the economic and political rights necessary to be an active citizen of New Jersey. Anyone apprehended on their way to enemy lines carrying “any Provisions, military or naval Stores, or any other Article or Thing the Produce of this State” would forfeit their “Estate, both Real and Personal,” upon

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<sup>43</sup> “An Act for rendering more effectual two certain Acts therein mentioned.” June 4, 1777 in *Acts of the Council and General Assembly of the State of New Jersey*, Volume 8. The law revises “An Act to punish Traitors and disaffected Persons” as well as the laws concerning the New Jersey Council of Safety.

conviction. Furthermore, the law granted the state government significant power over a guilty individual's freedom of movement. The government could relocate guilty individuals from their hometowns to communities located further from enemy lines or have them "imprisoned in any Prison in the State, cropped, whipped, or pilloried." Those convicted of trading with the enemy could lose such cherished political rights as the right to vote, hold office, serve on juries, or bring suit against any citizen of the state.<sup>44</sup> Due to the rampant levels of trade, the 1780 law also implemented radical measures designed to make the prosecution of those charged with illegal trade both quicker and easier. The legislature revoked an established American judicial tradition for cases against suspected traders and declared that individuals apprehended carrying goods from British lines needed to prove their innocence rather than prosecutors prove their guilt.<sup>45</sup> While the state no longer considered illegal trade a capital offense, the full application of its newest law could bring economic ruin and political alienation to those convicted of illegal trade.

Essex residents interested in the London Trade circumvented these laws by taking advantage of both established military customs and other New Jersey laws granting authorized travel between enemy lines. Because of the short distance separating the New Jersey coast and the British garrisons around New York City, both American and British leaders found eastern New Jersey cities like Elizabethtown and Perth Amboy convenient locations to send or receive British agents traveling under flags of truce. One of Elizabethtown's most respected residents, Elias Boudinot, served as the Continental Army's Commissary of Prisoners, and he arranged for many prisoner exchanges to take

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<sup>44</sup> "An Act more effectually to prevent the Inhabitants of this State from trading with the Enemy, or giving within their Lines, and for other Purposes therein mentioned," December 12, 1780 in *Acts of the Council and General Assembly of the State of New Jersey*, Volume 9.

<sup>45</sup> *Ibid.*

place in his hometown.<sup>46</sup> International customs governing war stipulated that individuals traveling under flags of truce were to be respected as political and military envoys and not harassed by either the local population or state officials while they were within enemy territory. In order for the American government to gain both international respect and diplomatic support throughout Europe, it needed to abide by these traditions. Loyalists interested in illegal trade, however, made this difficult as many entered New Jersey carrying flags of truce to conceal their economic activity within the state.

In September 1778 a New Jersey Loyalist named Thomas Crowell demonstrated the tremendous difficulties British flags of truce could raise for Livingston's government. Crowell joined hundreds of New Jersey Loyalists in New York City following the arrival of Howe's army in the summer of 1776, but in September 1778 Crowell returned to New Jersey under a flag of truce. Crowell had orders to escort a captured New Jersey soldier who had recently been paroled back to his home state, but he wished to acquire as many provisions as he could while in New Jersey. Crowell landed in the city of New Brunswick and set about his work, but a local resident informed members of an active militia unit in the region that Crowell was looking to purchase flour and other provisions before returning to British lines. The militia ordered Crowell not to leave the area, but he boldly ignored the militia's order and attempted to set sail with the goods he had procured. Crowell only brought his ship to a halt after the militia opened fire upon his vessel. Following his surrender, the militia searched Crowell's vessel and discovered

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<sup>46</sup> George Adams Boyd, *Elias Boudinot: Patriot and Statesmen, 1740-1821* (Princeton: Princeton University Press, 1952), 33.

“nine barrels of flour, three firkins of butter, and some other Articles” which he received in return for “a quantity of sugar” that he provided a local resident.<sup>47</sup>

Although Crowell was apprehended while smuggling goods, the flag of truce he carried offered him a degree of legal protection. New Jersey law gave the Revolutionary government the authority to take Crowell’s vessel, his cargo, and even his life, but his flag of truce made the situation “not so clear as I could wish it” according to Governor Livingston. He was uncertain what the appropriate penalty for Crowell should be. He believed that the state could lawfully seize the goods Crowell had purchased, but he did not know if it could seize his vessel or how long they could lawfully imprison him. After several months, the British government successfully negotiated for Crowell’s release during a prisoner exchange, but the uncertain legal status of Loyalists traveling under flags of truce encouraged others to emulate his actions. If Livingston’s government forcefully prosecuted Crowell under state law it could jeopardize both the safety of American envoys traveling to British lines as well as the American government’s international reputation. The problem of Loyalists securing goods from New Jersey under British flags of truce greatly troubled William Livingston, and he lamented to Washington that after doing so much to prevent “the practice of our people carrying provisions to [our enemies], we shall have the mortification of seeing them fetching it from us.”<sup>48</sup>

To combat the problem of smuggling under British flags of truce, Livingston declared in 1779 that all authorized travelers coming from New York or Staten Island needed to enter New Jersey at a single location, Elizabethtown. He believed the

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<sup>47</sup> William Livingston to George Washington, September 21, 1778. *The Papers of William Livingston*, Volume 2, 444-446.

<sup>48</sup> *Ibid.*

relatively high concentration of Continental forces at Elizabethtown could effectively monitor the behavior of British envoys in the town and prevent incidents like the one Crowell created in New Brunswick. Unlike other coastal communities, Continental Army units were stationed in Elizabethtown throughout the war, and Essex County often hosted as many of as seven of the fifteen militia companies active within the state at any given time.<sup>49</sup> Livingston's policy, however, did little to prevent the flow of goods from New Jersey citizens to British officials traveling under flags. Officers stationed outside of Elizabethtown loosely enforced the governor's policy on receiving ships sailing under flags of truce, and even the high concentration of soldiers in Elizabethtown could not prevent all British envoys from securing military provisions from Essex residents. British officers had long granted flags of truce to Loyalists whom Livingston regarded as "dirty Villains," and many of these Loyalists successfully acquired goods from Essex because they were "intimately acquainted with Elizabethtown."<sup>50</sup> They knew where American soldiers were likely to patrol and conducted their trade elsewhere. More importantly, they were familiar with the local population and could easily identify which residents would be willing to sell them the goods needed behind British lines. Lastly, some military officers stationed in Elizabethtown such as Lieutenant Colonel Jacob Crane or Captain Isaac Gillam regarded the London Trade as an opportunity for personal profit and either traded with men carrying flags of truce themselves or allowed them to conduct business in the region for a bribe. Despite Livingston's best efforts, British officials and Loyalists carried valuable resources from Essex throughout the Revolution.

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<sup>49</sup> Bernstein, "New Jersey in the American Revolution," 346.

<sup>50</sup> William Livingston to George Washington, April 15, 1778 and September 21, 1778, *The Papers of William Livingston*, Volume 2, 291, 444-446.

Political and military officials carrying flags of truce were not the only individuals allowed to travel across enemy lines during the Revolution. Ordinary New Jersey citizens could travel behind enemy lines if they secured a passport from an authorized government agent, and Essex residents interested in illegal trade utilized these passports to carry goods to and from British territory. New Jersey officials could grant passports for numerous reasons, but they were most likely to issue them to individuals who needed to travel to New York to secure legitimate business investments, collect inheritances, or tend to a family emergency. For example, in May 1779 Governor Livingston granted permission for two women to travel from Trenton to New York City to secure property bequeathed to them, but he ordered them not to stay behind enemy lines any longer than necessary before returning to Elizabethtown.<sup>51</sup> Similarly, passports allowed family members separated by the war to gather in times of illness or crisis. William Livingston did not care much for New Jersey Loyalists who fled to British territory, but he was not so callous as to deny family members on opposite sides of the conflict the chance to see each other if someone's death seemed imminent. Even women of dubious reputation like Jane Chandler, the wife of Elizabethtown's notorious Anglican minister and early Loyalist émigré Thomas Bradbury Chandler, received passports during family emergencies. In February 1778, Chandler's son, who was a member of the New Jersey Volunteers, the largest Loyalist military corps active during the Revolution, "was said to lie at the point of Death" behind enemy lines. Jane Chandler was a known opponent of American independence and a suspected member of a British spy ring who, for unknown

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<sup>51</sup> William Livingston to Colonel John Nielson, May 19, 1779, *The Papers of William Livingston*, Volume 3, 94. In the same letter he informed Colonel Neilson that Mrs. Hadden, who had been granted permission to travel to New York City and then return to New Jersey, had lost her right to return to the state.

reasons, was never removed from Elizabethtown by the local militia like other Loyalist wives.<sup>52</sup> Despite her questionable loyalties, in February 1778 Livingston regarded her not as an enemy to American independence but as a grieving mother facing the death of her child and therefore issued her a passport.<sup>53</sup>

New Jersey laws concerning travel passports provided Essex residents interested in the London Trade a means to safely travel to enemy lines, and as the war progressed these passports could be more easily acquired because the number of officials authorized to grant them drastically increased. In 1777, New Jersey law granted only the governor and generals in the state militia or the Continental Army the power to issue passports.<sup>54</sup> In the spring of 1778 the state legislature extended this authority to any members of the New Jersey Council of Safety, an executive body composed of twenty-three of New Jersey's political leaders in April 1778.<sup>55</sup> After the state legislature disbanded the Council in October 1778, the power to issue passports to New Jersey residents was extended to additional political and military officials within the state and outside of it. On August 13, 1778, the Continental Congress passed a law proclaiming that body's authority to grant travel passports, and by April 1779 the Continental Congress extended that power to the chief executives of every state as well as any commander of any military department within the Continental Army.<sup>56</sup> By the war's end New Jersey residents could also secure passports from their representatives in both the upper and

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<sup>52</sup> Theodore Thayer, *As We Were: The Story of Old Elizabethtown* (Elizabeth, NJ: Grassman Publishing Company, Inc., 1964), 113.

<sup>53</sup> William Livingston to Mary Martin, February 16, 1778. *The Papers of William Livingston*, Volume 2, 232. Martin questioned Livingston's denial of her passport petition and asked why she was denied while the notorious Chandler received one.

<sup>54</sup> *The Papers of William Livingston*, Volume 2, editor's note concerning September 20, 1777 "An Act for constituting a Council of Safety," 104.

<sup>55</sup> Bernstein, "New Jersey In the American Revolution," 286.

<sup>56</sup> *The Papers of William Livingston*, Volume 3, editor's note, 117.

lower house of the New Jersey legislature as well as any local judge or justice of the peace who was willing to vouch for their character.<sup>57</sup> The power to authorize travel had become so widely dispersed between local and national political figures and general officers of the state militia and Continental Army that any Essex resident seeking a passport to cover for illegal commerce could easily acquire one. They could petition any of the numerous individuals with the power to grant passports, and if they were initially denied they could continue petitioning others until they finally found an official willing to grant their request.

Political and military authorities in New Jersey faced a constant deluge of petitions from state residents eager to travel to enemy territory, and Livingston utilized his power over passports as a means to personally combat the London Trade. As one of the few figures consistently authorized to issue passports between 1777 and 1783, he was one of the most frequently petitioned Revolutionary officials and inundated by passport requests. Livingston believed he had a responsibility to carefully review all the petitions he received, and although this responsibility was time-consuming he never shirked from it. Livingston's private correspondence illustrated his growing frustration with the large number of baseless passport petitions he received as early as 1777. He expressed contempt for those citizens who offered flimsy excuses as a means to mask what he believed was their desire to secure British commodities. He complained to General John Sullivan of the Continental Army that the general officers who shared his power over passports did not "always use it with prudence . . . excuse my earnestness on this subject as I am Daily witness of the inexpressible Mischiefs resulting from the abuse [of

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<sup>57</sup> *The Papers of William Livingston*, Volume 4, editor's note, 310.

passports] I complain of.”<sup>58</sup> Livingston estimated that only “one in twenty” petitioners writing to him were entitled to passport, and he labeled many of petitions he received as the work of “venemous Tories” who “cloaked” their desire to trade with the British under the “pretense of securing their debts or effects.”<sup>59</sup> Livingston was, in his own words, “very sparing in gratifying” petitions for passports to enemy territory, and he even denied passports requested by his own wife and brother on behalf of several acquaintances.<sup>60</sup>

The military officers within Essex, however, did not regard the issue of passports as seriously as the governor, and they fueled illegal commerce in the region by granting numerous residents permission to travel to New York City or Staten Island. Livingston was shocked by the permissive attitude of high-ranking officers in Essex. He shared Washington’s “mortification to find that many of those whom I had denied [passports], were notwithstanding successful in their subsequent addresses to the military officers” who were “incapable of resisting the solicitations of those eloquent and pernicious vagrants.”<sup>61</sup> Many general officers were not willing to devote the significant time required to properly examine all the passport petitions and often superseded their authority by ordering lower officers to deal with the issue of passports. Livingston received a startling petition in 1777 from a grand jury in Essex informing him that general officers “freely delegated to inferior officers their power” to authorize travel to

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<sup>58</sup> William Livingston to John Sullivan, August 19, 1777, *The Papers of William Livingston*, Volume 2, editor’s note, 37.

<sup>59</sup> William Livingston to George Washington, December 21, 1778, *The Papers of William Livingston*, Volume 2, 518-520.

<sup>60</sup> Ibid. and Thomas P. Robinson and Lawrence H. Leder, “Governor Livingston and the ‘Sunshine Patriots.’” *The William and Mary Quarterly*, 3<sup>rd</sup> Series, Volume 13, No. 3 (July 1956), 396, and William Livingston to Susannah French Livingston, February 1, 1782, *The Papers of William Livingston*, Volume 4, 179.

<sup>61</sup> William Livingston to George Washington, December 21, 1778, *The Papers of William Livingston*, Volume 2, 519.

and from enemy territory.<sup>62</sup> Military leaders within Essex County had many duties to attend to and likely regarded the issue of passports as less important than training their soldiers or defending Essex from British raiding parties. Their conduct concerning travel passports, however, only compounded the already significant problem of illegal trade in the region, and Livingston associated “imprudently granted” petitions with the “great mischiefs” that befell “Elizabethtown, Newark, & other places near the Enemy’s Lines.”<sup>63</sup>

Livingston repeatedly criticized military officers who did not give the issue of passports the diligence he believed they deserved and therefore tried to personally oversee the entire process. Livingston condemned general officers for delegating their power to their subordinates, but he also criticized lower-ranking officers for both using this authority and showing poor judgment when they did. In February 1780, Livingston lambasted Colonel Peter Fell of the Bergen militia, “I should be glad to know from you to what particular Law of this State you thereby referred as so authorizing you” to allow such travel to territories under British control.<sup>64</sup> Livingston’s anger over unwarranted passports was so great that he labeled “Dr. Burnet, a Captain of Horse” in the Essex militia guilty of “Prostitution of Passports” and a “very improper person to be trusted” with such power.<sup>65</sup> Although the demands of his office greatly taxed Livingston’s time, he grew so concerned about the role of unwarranted passports in the London Trade that he ordered military officers to consult him regarding all passport petitions. In 1779 he

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<sup>62</sup> Essex County Grand Jury to William Livingston, August 13, 1777, *The Papers of William Livingston*, Volume 2, 27.

<sup>63</sup> William Livingston to George Washington, August 15-16, 1777, *The Papers of William Livingston*, Volume 2, 34.

<sup>64</sup> William Livingston to Peter Fell, January 11, 1780, *Papers of William Livingston*, Volume 3, 289.

<sup>65</sup> William Livingston to George Washington, August 15-16, 1777, *The Papers of William Livingston*, Volume 2, 34.

told one New Jersey militia colonel that the officers stationed along New Jersey's shores should not "trouble their heads" over petitions and instead "pray direct [petitioners] to me that I may examine them and judge for myself."<sup>66</sup> In February of that year he also ordered Thomas Clark of the Essex militia to no longer accept passports issued by the magistrates of Bergen County and "transmit the passes themselves to me that I may be enabled to direct prosecution against the Magistrates who presume to grant them."<sup>67</sup> Livingston had a multitude of duties to attend to as governor, but he clearly regarded the problem of illegal commerce within Essex as one of the most important.

Although Livingston was popular among New Jersey residents and consistently elected governor between 1776 and 1790, the majority of his constituents within Essex did not share his perspective on the London Trade. Livingston believed that illegal commerce jeopardized independence, but the very fact that it not only continued but actually increased within Essex as the war progressed demonstrated that many residents were not interested in stopping this practice. Public ambivalence to the London Trade was so widespread within Essex County that Livingston could not even rely on the inhabitants who petitioned his government for stronger measures against London Traders in 1781 to abide by state laws prohibiting illegal commerce. The petitioners professed a fervent opposition to the rampant illegal commerce that took place in their communities, but two of those who signed were convicted of participating in the London Trade within a year.<sup>68</sup> Essex residents who smuggled goods to and from British lines likely did not view

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<sup>66</sup> William Livingston to Israel Shreve, May 24, 1779, *The Papers of William Livingston*, Volume 3, 97.

<sup>67</sup> William Livingston to Thomas Clark, February 4, 1779, *Papers of William Livingston*, Volume 3, 28.

<sup>68</sup> "Petition of Inhabitants of Essex County to the Legislative Council & General Assembly Concerning Trading with the Enemy, June 8, 1781," Bureau of Archives and History, Legislative Records, Box 1-14, Folder 69 NJSA, Trenton, Court Martial Sentences of Jacob Crane, Isaac Gillam, and John

such behavior as an act of disloyalty or one that provided significant assistance to those forces that repeatedly plundered or even burned their communities. They did not associate their behavior as part of a statewide problem that flooded British lines with valuable resources. Instead, they likely regarded the quantity of materials they conveyed to their enemies as insignificant. Smugglers could only transport as many goods or animals as they could fit in a cart or on their flatboats, and the quantities of food or animals traded in any particular instance appeared inconsequential in a war that involved tens of thousands of soldiers.

William Livingston and the Essex population disagreed on the military implications of the rampant illegal trade that occurred within their communities, and they similarly disagreed on the motives that led countless individuals to trade with their enemies. Livingston regarded commerce between citizens of warring nations as unnatural and therefore questioned the loyalty of those who gave British soldiers the tools they needed to achieve victory. Essex residents involved in the London Trade, however, did not consider themselves to be Loyalists. They had disavowed their allegiance to the British government and swore oaths of allegiance to the newly created New Jersey government. They paid taxes to fund their government and its war for independence, and a substantial number of those apprehended traveling across enemy lines risked their lives by offering military service to their government. John Alling of Newark served as a substitute in the Continental Army for nearly one and a half years between 1779 and

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Burnet, December 14, 1781, *The Papers of William Livingston*, Volume 4, 347, and "Account of public Vendue, Springfield, June 15, 1782," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 101. Jacob Crane and Wassell Tucker signed the June 8, 1781 petition calling for stronger enforcement of state laws against illegal trade. Crane was cashiered from the Essex militia following his December 1781 court martial, and Tucker had two oxen confiscated from him and sold at public auction on June 15, 1782.

1780, but within months of his discharge he purchased a cartload of salt, cloth, and buttons from individuals who sought the destruction of the Continental Army.<sup>69</sup> John Hendricks assisted Continental soldiers in their daring nighttime capture of a British supply ship in January 1776, but he too was arrested for smuggling goods to Staten Island in November 1777. Some Essex residents involved in the London Trade made great sacrifices on the battlefield fighting against British invaders. Peter Williams was a sergeant in the Essex militia who was wounded in an engagement with British forces near Elizabethtown on April 11, 1778, and Abner Price served in both the New Jersey state troops and the Essex militia before he was captured by the British and held as a prisoner of war for seven months in 1780.<sup>70</sup> Both men, however, chose to trade with their wartime adversaries; Williams traveled to enemy territory in May 1779 and Price smuggled goods into Essex one year after his release from British captivity.<sup>71</sup> Nearly one-quarter of all Essex residents charged with illegal trade risked their lives defending New Jersey from the British through service in the Continental Army, New Jersey state troops, or Essex militia, and their commitment to independence was not in question.<sup>72</sup>

Livingston and other Revolutionary leaders also attributed the ongoing London Trade to widespread greed and some citizens' refusal to make economic sacrifices on behalf of the war effort. Radical Whigs such as Abraham Clark regarded the conflict as

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<sup>69</sup> "Alling, John," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton and "Inventory of Goods Taken from John Alling & Aaron Baldwin III & sold at Public Vendue, November 15, 1780," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 92, NJSA, Trenton.

<sup>70</sup> "Williams, Peter" and "Price, Abner," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>71</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #39529 and "Account of Public Vendue, Elizabethtown, June 4, 1781," Bureau of Archives and History, Legislative Records, Box 1-37, Folder 96, NJSA, Trenton.

<sup>72</sup> Surviving legal records indicate that one hundred and fourteen Essex residents were charged with illegal trade or travel to enemy lines. Twenty-five of them served in the army, state troops, or militia prior to their arrest or conviction.

an ideological struggle and saw illegal commerce as the failure of citizens to cast off British luxuries and embrace the agrarian simplicity he believed was necessary in a successful American republic.<sup>73</sup> Livingston, while less of an ideologue than Clark, likewise saw greed as a cause for the London Trade. He regarded the large number of the passport petitions he rejected as illustrating many of his constituents' greed and "vain curiosity" to see what they could purchase behind enemy lines. Livingston boldly proclaimed in 1778 that the steady flow of supplies to and from enemy territory was the work of individuals motivated by "boundless avarice."<sup>74</sup> Livingston distrusted most of the passport petitions he received, but he thought those submitted by women were particularly suspicious and thought they were more likely than men to succumb to the economic temptations offered behind enemy lines. In December 1778, he expressed his frustration concerning the unwarranted petitions he received from women and claimed they "would as soon forfeit a second paradise, as Eve did the first, for the forbidden fruit" of "tea and trinkets" from behind enemy lines.<sup>75</sup> Although women accounted for less than 4% of all Essex residents apprehended while transporting goods to and from British lines, Livingston likely believed they played an indirect but substantial role in the ongoing London Trade. He regarded women as "mistresses of infinite craft and subtlety," who could use their guile to convince husbands, fathers, sons, or suitors to acquire the British goods they desired.<sup>76</sup>

Livingston's perspective of the London Trade as the work of individuals motivated by vanity or greed was not completely unfounded, but most Essex residents

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<sup>73</sup> Bogin, *Abraham Clark*, 32.

<sup>74</sup> Edward A. Fuhlbruegger, "New Jersey Finances During the American Revolution," 183.

<sup>75</sup> *Ibid.*

<sup>76</sup> William Livingston to George Washington, November 9, 1776. *The Papers of William Livingston*, Volume 1, 174.

apprehended conveying goods to or from enemy lines likely saw their actions as an economic necessity. Some of the wealthiest middle class farmers or plantation owners like Joseph Goulds, Jacob Crane, or Peter Jacobusson, men who owned well over one hundred acres within Essex, were apprehended carrying goods to or from enemy lines. Table 5.1, however, indicates the vast majority of those arrested for smuggling in Essex were not wealthy men.<sup>77</sup> They were individuals who depended upon others for their survival or, at best, spent their lives engaged in unprofitable, subsistence-level farming. For example, in April 1780 Cornelius Edison smuggled several yards of checkered linen from British lines into his hometown of Acquackanonk.<sup>78</sup> Edison was one of the poorest members of that community; he owned no property at all, was not the head of his own household, and likely survived by living with his parents and working their land.<sup>79</sup> Similarly, Continental Army veteran John Alling was also charged with smuggling goods to and from enemy territory. Alling owned twenty-five acres in Newark which made him less destitute than Edison. According to historian John Rutherford, however, Alling could never profit from such a meager plot of land.<sup>80</sup> Rutherford estimates New Jersey farmers needed at least thirty acres to turn a profit because plots smaller than that did not have enough space to maintain a house, barn, and sufficient wooded areas while still leaving enough acres for profitable cultivation.<sup>81</sup> Essex residents familiar with the poverty of most London Traders would challenge Livingston's views concerning the role of greed or vanity in fueling illegal commerce; men who owned no property and profited

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<sup>77</sup> Mark Lender, "The Enlisted Line—The Continental Soldiers of New Jersey," (Ph.D. diss., Rutgers University, 1975), 120-121.

<sup>78</sup> "Account of Public Vendue, Acquackanonk, April 27, 1780", Bureau of Archives and History, Legislative Records, Box 1-37, Folder 87, New Jersey State Archives, Trenton, NJ.

<sup>79</sup> Tax Ratables, Box 99, Essex County, Acquackanonk Township, March 1779, NJSA, Trenton.

<sup>80</sup> Tax Ratables, Box 99, Essex County, Newark Township, March 1779. NJSA., Trenton.

<sup>81</sup> John Rutherford cited in Lender, "The Enlisted Line," 120-121.

little from their daily labor did not trade with the British because of curiosity or greed but rather economic necessity.

**Table 5.1 – Average Wealth of Essex Taxpayers Charged with Illegal Trade**

Tax Rates, 1779	% of Essex Tax-Payer Population	% of Taxpayers Apprehended/Prosecuted (total number)	Average Acres Owned by the Accused
0-£1	24.4%	17.5% (10)	2.8 (7 of 10 own zero acres)
£1.05-£2	21.5%	26.3% (15)	12.9 acres
£2.05-£3	11.6%	5.2% (3)	29.0 acres
£3.05-£4	10.1%	14.0% (8)	43.1 acres
£4.05-£5	7.2%	10.5% (6)	77.3 acres
£5.05-£7.5	12.8%	14.0% (8)	106.0 acres
£7.55-£10	4.7%	1.7% (1)	0 acres (tavern owner)
£10.05 - £12.5	2.9%	7.0% (4)	146.0 acres
£12.55 +	4.3%	3.5% (2)	581.0 acres

The London Trade, however, provided economic shelter and stability to more than just the poorest residents of Essex County. Yeoman farmers who enjoyed relative economic stability prior to the conflict frequently turned to the London Trade to stave off economic ruin during the financial crises of the Revolutionary era. The profits available in the London Trade and the gold and silver currency available behind enemy lines helped Essex residents combat the economic damage they suffered at the hands of British raiding parties or through the rampant depreciation of Continental currency. The Continental Congress needed a great deal of money to fund both the national government

and the Continental Army during the war and relied heavily on newly printed paper currency to conduct its business. Between May 1775 and December 1776, Congress issued \$25 million in paper currency and continually printed more currency throughout the conflict.<sup>82</sup> The resulting flood of paper money led to rampant inflation across America, and the real value of paper currency compared to specie plummeted throughout the war. Continental dollars could be exchanged for gold and silver at face value for the first year of the conflict, but the exchange rate fell to 1.5:1 by December 1776 and dropped to 5:1 by December 1777. The depreciation of Continental currency continued until its use for economic transactions proved impractical. In December 1779, \$50 of Continental currency was worth approximately only \$1 of specie. New legislation was passed in March 1780 attempting to stabilize the currency at a 40:1 ratio with specie, but Continental money was essentially worthless by 1781 when its exchange rate with specie reached 100:1.<sup>83</sup>

Continental dollars were not the only currency available to Essex residents throughout the Revolution. Limited quantities of specie were available within the state, and Livingston's government also printed paper currency. The New Jersey government practiced a more conservative approach to finance than the Continental Congress and printed only £175,000 worth of paper bills in the first five years of the war.<sup>84</sup> Unfortunately for New Jersey residents, however, the value of New Jersey currency fell significantly throughout the war. People lost faith in New Jersey currency because its value was by law tied to that of Continental currency, and Loyalists from New York

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<sup>82</sup> Charles W. Calomiris, "Institutional Failure, Monetary Scarcity, and the Depreciation of the Continental," *Journal of Economic History*, Volume 48, No. 1 (March, 1988, 47-68), 56.

<sup>83</sup> *Ibid.*, 57-58.

<sup>84</sup> Edward A. Fuhlbruegger, "New Jersey Finances During the American Revolution," 172.

contributed to its depreciation by producing large quantities of counterfeit bills. They spread these false bills throughout the state, and Livingston labeled this action as the most “fatally calculated” of all the “schemes concerted by the Enemies of America to embarrass her Measures and promote the ruthless Machinations of Britain.”<sup>85</sup> Historian Edward A. Fuhlbruegger argues that New Jersey’s “financial machinery broke down completely” during the conflict and estimates that the value of New Jersey’s currency fell by approximately two-thirds between 1777 and 1779. Some economic transactions in Essex County demonstrate that the depreciation levels were even larger.<sup>86</sup> The New Jersey government began auctioning the property abandoned by Loyalist refugees as a means to fund its war effort in 1777, and between 1777 and 1779 the price of certain items like cattle sold at auctions in Essex increased by approximately 400-500%. In July 1777, the winning bids for one cow from the estate of Newark Loyalist Benjamin Booth ranged between £8 and £10 New Jersey currency. Within one year, cattle seized from Isaac Kingsland’s former estate sold for over £23 each. By 1779, an Essex resident could buy a “cow and calf” from the estate of Peter Dubois with bids ranging between £90 to £140 lawful money.<sup>87</sup> Like Continental currency, New Jersey bills quickly lost their value during the Revolution and left the people of Essex struggling to secure fair economic compensation for their goods. As a result of the growing inflation, an increasing number of residents relied upon barter to conduct business.

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<sup>85</sup> William Livingston to the General Assembly, November 7, 1777. *The Papers of William Livingston, Volume 2*, 105-106.

<sup>86</sup> Edward A. Fuhlbruegger, “New Jersey Finances During the American Revolution,” 182, 173.

<sup>87</sup> Department of Defense, Forfeited Estates, Box 4, Folder 1, 1777 ledger, pg 14-20, 36, NJSA, Trenton.

Amidst this currency crisis, British goods or specie acquired through illegal commerce served as an economic lifeline to Essex residents searching for stability. Tea, fabrics, and other items brought into Essex by men like John Alling could be re-sold throughout their communities at a significant markup that would help residents combat the devastating effects of inflation within New Jersey. British troops stationed in New York City and on Staten Island brought a considerable amount of specie to America, and they were eager to use it to acquire the items they needed within their camps. Captain John Bowater of the British army noted that the Staten Island population welcomed the British troops as liberators and eagerly sold “their things to the Soldiers at the most Reasonable Terms . . .” because they liked “our Gold & Silver better than the Congress paper money.”<sup>88</sup> If the Staten Island population longed for specie after dealing with Continental currency for only one year, Essex residents would be especially interested in acquiring specie after facing several years of depreciation.

Judicial records from Essex County illustrate that its inhabitants yearned for the financial stability offered by specie and that London Traders rationalized their illegal commerce as their pursuit of a just price rather than their desire to aid their enemies. In January 1778, William Pace of Morristown expressed his concerns over the depreciated prices offered by local quartermasters and merchants to Elizabethtown resident Amos Swan. Pace informed Swan that he had recently tried to sell a large quantity of beef but had “been offered half a Dollar Continental Money per pound weight for the beef, and could not take it for damn the money. I did not want it; if I cannot get a shilling per pound weight in hard money at [Rahway] I will carry it to Staten Island where I can get

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<sup>88</sup> Papas, *That Ever Loyal Island*, 70.

it.”<sup>89</sup> Pace was willing to try several venders in Essex and only considered the London Trade as a last resort in his quest for fair compensation for his goods. Similarly, nineteen-year old Morris Hatfield of Elizabethtown argued that a lack of specie and economic stability motivated him to convey goods to the British. In a conversation with several neighbors concerning the local economy Hatfield brazenly withdrew several British coins from his pocket, told his companions they were “got by the London Trade,” and asked “who amongst you have So Much? I have carried Beef to the Enemy and Can Carry one or two Quarters when I please, and as often as I please.”<sup>90</sup> The bold, defiant nature of Hatfield’s tone and his thoughts on repeated trade might have led some to question his commitment to the Revolution, but he clearly did not seek the restoration of New Jersey’s colonial government. Hatfield was one of the earliest supporters of American independence and fought against the British army at the Battle of Long Island in August 1776. He was, however, one of the poorest residents of Elizabethtown. As the owner of only six acres of land and a resident in another man’s household, Hatfield saw the London Trade as an opportunity to secure the hard currency that was widely absent within his community.<sup>91</sup>

Contrary to the wishes of William Livingston, Essex judges did not forcefully apply the state’s laws prohibiting commerce with the British and make examples of known smugglers. State laws granted judges presiding over the trials of London Traders great power over the defendant’s freedom and their ability to return to their communities. Judges in Essex could temporarily remove London Traders from the region by ordering

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<sup>89</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #37502.

<sup>90</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #39544.

<sup>91</sup> Tax Ratables, Box 99, Essex County, Elizabethtown Township, Rahway Ward, March 1779 and Elizabethtown Township, Westfield War, March 1779, NJSA, Trenton.

their imprisonment or conscripting them into the American navy, and if they applied the maximum penalty proscribed by state law they could order their execution. Local judges, however, rarely utilized these powers. They showed considerable mercy to those charged with aiding America's wartime enemies when the state's prosecution of illegal traders began in 1777. They never called for capital punishment against smugglers, and judges were extremely hesitant to imprison men charged with supplying the enemy. Judges had the authority to hold the accused in prison until his trial began, a decision that could have limited the flow of goods between enemy lines by denying suspected traders any chance of traveling across enemy lines. Essex judges, however, allowed nearly all defendants to enter into a recognizance, usually for several hundred pounds, that secured their freedom until their court date. Of the forty-one individuals prosecuted in Essex for illegal commerce between 1777 and 1780 only Benjamin Spinning and Nathaniel Bond were imprisoned prior to their trials, and these unusual circumstances likely stemmed from the involvement of the New Jersey Council of Safety led by Governor Livingston.<sup>92</sup> Essex County judges demonstrated a similar aversion to imprisoning convicted smugglers after their trials. Only two Essex residents, John McGinness and Maurice Morrison, both of Newark, were imprisoned after they were found guilty of traveling to enemy territory with McGinness receiving a nine-month sentence and Morrison one year.<sup>93</sup> The vast majority of convicted smugglers, therefore, remained free to travel throughout Essex as they pleased and maintained an ongoing presence in their communities following their conviction.

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<sup>92</sup> *Minutes of the Council of Safety of New Jersey*, 226-228. In April 1778 Bond was fined £5 and Spinning fined £10.

<sup>93</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #37046,

In lieu of lengthy prison sentences, military conscription, or capital punishment, judges within Essex imposed economic penalties on those found guilty of trading with their wartime enemies. As Table 5.2 indicates, the earliest fines imposed by judges in 1777 and 1778 were relatively small and ranged between £3 and £100. By 1779, however, the penalties imposed by judges increased significantly with the most severe fines ranging between £500 and £1000. The fines imposed on convicted smugglers could be economically significant and maintained their real value amidst the rampant depreciation of New Jersey currency. Based upon the records of Loyalist estate auctions, an Essex resident could furnish an entire bedroom for the same amount of money the average smuggler was ordered to pay in 1779 as a penalty for their unlawful economic activity.<sup>94</sup> The fines assessed by Essex judges demonstrated that they, unlike much of the Essex population, would not casually accept widespread commerce with enemy troops. The impoverished citizens who played the largest role in the London Trade would suffer significant hardships as a result of these increasing penalties. These fines, however, allowed convicted smugglers to remain a part of their communities. They would lose a significant sum of money, but guilty individuals could remain with their families and friends while continuing their economic pursuits within Essex. Compared to the wishes of Livingston and Washington who believed it was unjust “to punish so atrocious a crime by fine only,” such penalties were relatively light.<sup>95</sup>

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<sup>94</sup> Based on the 1779 values found in the values paid at the auction of Peter Dubois’s David Ogden, and Nicholas Hoffman’s property. Department of Defense, Subgroup: Adjutant General’s Office, Records of the Commissioner of Forfeited Estates, 1777-1795, Box 2, Section 5 of the New Jersey State Archives in Trenton, NJ

<sup>95</sup> William Livingston to George Washington, January 26, 1782, *The Papers of William Livingston*, Volume 4, 373.

**Table 5.2 Fines Imposed on Convicted London Traders**

<b>Year</b>	<b>Trials</b>	<b>Average Penalty</b>	<b>Median Penalty</b>
1777	3	£11.5	£11.5
1778	9	£32.5	£12.5
1779	27	£250	£200

The people of Essex shared the judges' apprehension to imprison known smugglers and did nothing to challenge the presence of both illegal commerce and those responsible for it in their communities. The local population respected the freedom that the courts granted convicted smugglers and did not use mob activity to intimidate or injure known smugglers. Essex residents, like most of America's Revolutionary population, were willing to utilize mob activity to coerce or physically remove individuals they perceived as having escaped justice or as a disgrace to their community. One evening in the summer of 1776, a group of men entered the home of Edward Vaughn Dongan, a successful Elizabethtown lawyer, and physically carried him from his bed six miles out of the town in response to the Loyalist opinions of Dongan and his family.<sup>96</sup> Similarly, in July 1779 Daniel Marsh, a resident of Rahway and quartermaster in the Continental Army, led a group of men to confront William MacLeod near his Elizabethtown home. MacLeod was a captain in the British army who had purchased land in Elizabethtown following the French and Indian War. Local officials arrested MacLeod in 1775 to prevent him from re-joining the British army and allowed him to live on parole within the community throughout the war. Marsh and his followers,

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<sup>96</sup> Jones, *The Loyalists of New Jersey*, 108.

however, found MacLeod's continued presence in the region unacceptable and ordered him to leave Elizabethtown within four days.<sup>97</sup> Individuals convicted of the London Trade, however, faced no such intimidation. Although the news of their guilt spread throughout the region by word of mouth in local taverns, churches, and other meeting places, known smugglers were left alone by their neighbors who saw no need for further justice.

In addition to the physical freedom and safety London Traders enjoyed in Essex communities, individuals convicted of trading with the British faced little social reprisal from their friends and neighbors. The public responded to their continued presence within their communities with widespread indifference and allowed the guilty to return to the lives they had enjoyed prior to their conviction. Local business owners throughout Essex continued to welcome London Traders such as Joseph Baldwin and Francis King into their stores. Baldwin and King were both convicted of illegally traveling to enemy territory in 1779 and 1780 respectively, and Baldwin received a larger than average fine of £300 for his crime.<sup>98</sup> Following their trials, however, both men continued to frequent the same local blacksmith as many of their neighbors and did so without shame whenever they needed to have their horses re-shoed or their wagon wheels repaired.<sup>99</sup> Similarly, Joshua Winans remained a welcomed customer of the Sign of the Unicorn Tavern in Elizabethtown during the war despite his willingness to trade with British forces. Winans transported a large quantity of beef to Staten Island in 1777, but he still felt comfortable

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<sup>97</sup> William Livingston to Daniel Marsh, July 1, 1779, *Papers of William Livingston*, Volume 3, 128.

<sup>98</sup> *Minutes of the Council of Safety of the State of New Jersey*, 269, Supreme Court Case Files, NJSA, Trenton, Case Files #36382 and #34023, and Minutes of the Essex County Court of Oyer and Terminer, March 13, 1779, NJSA, Trenton.

<sup>99</sup> [Anonymous] Newark Blacksmith Book, Manuscript Group 1325, New Jersey Historical Society (NJHS), Newark. 12, 56.

enough to visit the tavern in 1782. Several years had passed since his crime, but the Sign of the Unicorn remained a popular gathering place for Elizabethtown's most prominent political or military leaders throughout the war who fervently condemned the London Trade. Its clientele included men like Colonel Elias Dayton of the Continental Army and William Livingston Jr., but Winans would not have entered the tavern if he believed he would be harassed or ill-treated by its customers or owner. Convicted smugglers remained highly visible within Essex communities and did so because there was little social hostility directed toward them.

Essex residents' ambivalence towards the London Trade and those who perpetuated it was reflected not only in the social and economic behavior of guilty individuals but also in the generosity some local businessmen bestowed upon them. During the Revolution any businessman who extended credit or loaned money to his customers did so at great risk due to the instability of the New Jersey economy, but some merchants continued to do so because of their personal relationships with or respect for certain customers. The owners of the Sign of the Unicorn Tavern, for example, allowed Continental Army surgeon William Barnet to amass a significant unpaid debt throughout the Revolution. Barnet owed the tavern over £57 in 1777 before the inflation devastated the New Jersey economy, but its owners continued to extend Barnet generous credit. Barnet's debt to the tavern grew an additional £20 before the war's conclusion. Such generosity, however, was not limited to ardent Whigs like Dr. Barnet. Nathaniel Baldwin, a shoemaker and merchant in Newark, extended ample credit throughout the war to the convicted smuggler Luther Baldwin. In March 1779 Luther Baldwin illegally traveled to Bergen Point, which was in the possession of British forces, and the court

imposed a £200 fine on Baldwin in September of that year.<sup>100</sup> Luther Baldwin was a frequent patron of Nathaniel Baldwin's shop and purchased numerous goods from him such as shoes, leather straps, and salted pork. His conviction for trading with the enemy, however, did not alter their relationship, and he remained a valued customer. Nathaniel Baldwin cared little about Luther Baldwin's participation in the London Trade. He loaned Baldwin \$20 cash in October 1781 and allowed him to accumulate a significant unpaid debt of £81 by January 1782.<sup>101</sup> Nathaniel Baldwin was under no obligation to offer Luther Baldwin such favorable business terms, and if he truly cared about Baldwin's illegal activity his generosity would likely have come to an end.

Essex residents' acceptance of the London Trade within their communities and their ongoing trust for those guilty of such behavior could also be seen in the political activity of known smugglers in the region. The New Jersey legislature, in another attempt to curb illegal commerce, passed a law on December 22, 1780 requiring all merchants in counties that bordered enemy territory to secure a license for their business from the court of quarter sessions. The courts, however, could only issue licenses to petitioners who provided a minimum of fifteen signatures from "reputable and well-affected" freeholders of the same county who would vouch for their character. Shopkeepers who sold foreign goods without such a license were subject to a £6 penalty for every unlicensed transaction they made.<sup>102</sup> All merchants within Essex were subject to the provisions of this law and needed to find individuals who would testify to their

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<sup>100</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #34017

<sup>101</sup> Nathaniel Baldwin, (Shoemaker) Account Book, Manuscript Group 74, NJHS, Newark, 67.

<sup>102</sup> Shopkeepers' Petitions and Licenses, 1781, Essex County, Court of General Quarter Sessions of the Peace, Anthony Sayres, NJSA, Trenton.

loyalty. Despite the region's relatively large population, many shopkeepers had no problem turning to convicted smugglers to serve as character witnesses.

Several upstanding citizens of Essex submitted petitions bearing the signatures of both respected military leaders from their communities as well as known London Traders. Anthony Sayre was a twenty-six year old resident of Springfield with an exemplary record of military service on behalf of the Revolution when he petitioned for a shopkeeper's licenses in January 1781. Unlike many Essex residents, Sayre provided frequent service to the county militia and served as a private every year between 1776 and 1780. Sayres risked his life in June 1778 to assist the Continental Army to secure a hard-fought draw against the British army at the Battle of Monmouth in 1778.<sup>103</sup> The thirty-seven signatures he collected were more than twice the number needed by the local court and demonstrate his popularity within his hometown. He received the signatures of several respected officers of the Continental Army and the Essex militia such as Captain Joseph Badgely and Colonel Samuel Potter. In addition to the testimony of these military leaders, fellow Springfield resident and convicted London Trader Joshua Winans also testified to Sayre's reputation.<sup>104</sup> Sayre already had nineteen signatures by the time he spoke with Winans. He had already surpassed the minimum number required by the legislature and therefore did not turn to Winans as a last resort. Despite Winans's participation in the London Trade, Sayre did not regard him as a less "reputable and well-affected" man and asked him to vouch for his character along with respected militia officers like Colonel Potter.

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<sup>103</sup> "Sayres, Anthony," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>104</sup> *Minutes of the Council of Safety of the State of New Jersey*, 186.

Jesse Baldwin of Newark displayed similar ambivalence towards convicted London Traders in 1781 and also provided the Essex Court of quarter sessions a petition signed by reputable military figures and known smugglers. Baldwin had demonstrated his willingness to take up arms against the British throughout the first six years of the Revolution. He served as an Artificer and Lieutenant in the First Regiment of the New Jersey Continental Line between 1776 and 1779. Like Sayre, he too fought against the British at the Battle of Monmouth and was respected by prominent military figures within Essex. His shopkeeper license petition was signed by Robert Nichols, a former Minuteman and Essex County militia captain, and Captain Abraham Lyons, a five-year veteran who had served as an officer in the Essex militia, the New Jersey State Troops, and the Continental Army.<sup>105</sup> Jesse Baldwin, however, also asked Joseph Baldwin to sign his petition even though Joseph Baldwin was guilty of the same economic activity that the new law concerning merchants' license was designed to prevent. Baldwin was not unique in his view of convicted smugglers as respectable political figures within his community; seven out of the forty-three individuals within Essex who submitted petitions for merchants' licenses to the local court secured the signature of at least one known London Trader. Although William Livingston would have questioned the political character of individuals who voluntarily sold materials to the British Army, the court of quarter sessions within Essex County saw no problem with petitions like Baldwin's. On April 10, 1781 Justice of the Peace Robert Ogden issued Jesse Baldwin the shopkeeper license he desired.<sup>106</sup>

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<sup>105</sup> "Nichols, Robert" and "Lyons, Abraham," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>106</sup> Essex County Court of Quarter Sessions of the Peace, Shopkeeper' Petitions and Licenses, 1781, Baldwin, Jesse, April 10, 1781. It is unclear if or how Jesse Baldwin and Joseph Baldwin were

Although New Jersey's political and military leadership questioned the allegiance or commitment of citizens who traded with their adversaries, most inhabitants of Essex County recognized that the vast majority of these citizens were trustworthy individuals. Many of those apprehended playing a part in the London Trade had offered military service to the Revolution prior to their arrest, and they continued to serve after their conviction with some even taking up arms within weeks of their arrest or prosecution. For example, Essex authorities apprehended Thomas Bowman traveling to meet British forces at Bergen Point in April 1778, but after being tried and sentenced to pay a £5 fine Bowman reported as scheduled for militia service that May.<sup>107</sup> Even Nathaniel Bond, one of only a handful of Essex residents imprisoned for trading with the British, continued to support New Jersey's Revolutionary government and its war effort after his unpleasant experience in jail. Bond served his jail time, and in April 1778 he paid the state government both a £5 fine for his illegal travel as well as £10 6 shillings to cover the cost of his imprisonment. Weeks later he joined Bowman as a private in the second regiment of the Essex militia.<sup>108</sup> Essex residents were largely indifferent to the London Trade and its long-term military consequences, but they were not indifferent to the Revolution as a whole. Convicted London Traders were no less likely to take up arms on behalf of the New Jersey government than any other citizen in Essex. British Army officers on Staten Island believed they could depend on the political and military support of their countless trading partners in Essex when they launched their final large-scale

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related. Baldwin was a remarkably common surname within Essex County as sixty-six men named Baldwin rendered military service, paid taxes, or were tried in Essex courts during the war.

<sup>107</sup> "Bowman, Thomas," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>108</sup> "Bond, Nathaniel," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

invasion of the region in June 1780. The two hundred Essex residents who took up arms to repel this invasion force, however, contained several convicted numerous smugglers and others who likely evaded capture, and they demonstrated to the British that their economic activity was not a true indication of their allegiance.

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The wartime trade that persisted between the citizens of Essex County and the British soldiers or Loyalists around New York City was a continuous source of frustration to New Jersey's political and military leaders. William Livingston and George Washington lamented in their correspondence the loss of valuable resources that this trade placed into the hands of men who used it in their campaign against the lives, property, and political independence of New Jersey citizens. Livingston, an established resident of Essex County's largest community, regarded smuggling operations and the abuse of authorized travel between enemy lines as a significant crime warranting significant penalties. The majority of Essex residents, however, never embraced this perspective on the dangers of the London Trade. Some longed for the "tea and trinkets" they had previously enjoyed as colonists of the British Empire, and others felt compelled to trade with their enemies to survive the currency crisis that destroyed New Jersey's economy. The Essex population regarded the London Trade as either an unfortunate necessity of their local economy or as a forgivable offense that produced no tangible harm to their government or communities. They did not believe such behavior should damage the political and social standing of individuals who were otherwise faithful supporters of the New Jersey government and its war effort. Livingston spent his seven years as New Jersey's wartime governor in a fruitless crusade to stop this trade and

reform the behavior of his constituents, but no act by his state or its military forces could stop the flourishing commerce between military adversaries. Washington succinctly summarized the New Jersey population's steadfast determination to trade with their enemies in October 1782 when he informed Congress's Secretary of War "That allotment of the Whole Continental Army . . . would not prevent the practice" in places like Essex.<sup>109</sup>

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<sup>109</sup> Richard P. McCormick, *Experiment in Independence: New Jersey in the Critical Period 1781-1789* (New Brunswick, NJ: Rutgers University Press, 1950), 11.

## Chapter Six -- “Everlasting Enmity to the Very Name of a Briton”: Victory and Lingering Hostilities

In the early morning of June 7, 1780, approximately five thousand British soldiers crossed under the cover of darkness from Staten Island to Elizabethtown Point using a collection of flatboats and a pontoon bridge.<sup>1</sup> This expedition was commanded by Hessian General Wilhelm von Knyphausen and was the largest British military operation in New Jersey since the army’s November 1776 invasion. The British soldiers were joined by the Loyalists in the first and fourth battalions of the New Jersey Volunteers including former Essex residents Uzal Johnson and Ensigns Zenophon and John Troup Jouett, the teenage sons of Cavalier Jouett.<sup>2</sup> All three were victims of the New Jersey government’s Loyalist estate seizure laws, and Knyphausen’s invasion offered them an opportunity to avenge what they regarded as an economic injustice against their families.<sup>3</sup> The June 7 expedition was unlike any of the British army’s recent activities within Essex County. Previous British incursions targeted both residents’ property and residents themselves, but despite the significant damage raiding parties inflicted on Essex communities their actions did little to directly end the war. Knyphausen and other British officers, however, believed the June invasion could destroy the Revolution in New Jersey and elsewhere. Their army was approximately twice the size of Washington’s force at

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<sup>1</sup> Harry Ward, *General William Maxwell and the New Jersey Continentals*, (Westport, CT: Greenwood Press, 1997), 150 and Thomas Fleming, *New Jersey Revolutionary Experience*, Volume 8, *The Battle of Springfield* (Trenton: New Jersey Historical Commission, 1975), 5. Fleming estimates the invasion occurred on the evening of June 6 and involved approximately six thousands British troops.

<sup>2</sup> William S. Stryker, *The New Jersey Volunteers (Loyalists) in the Revolutionary War* (Trenton: Naar, Day, & Naar, Book and Job Printers, 1887)19, 64 Johnson served as a surgeon in the New Jersey Volunteers and both Jouetts held the rank of Ensign. Stryker states that two battalions joined the invasion, and particular battalion information found on the Online Institution for Advanced Loyalist Studies, <http://www.royalprovincial.com/military/rhist/njv/4njvhist.htm> (accessed 11/14/10).

<sup>3</sup> *The New Jersey Journal*, March 25, 1779 and May 10, 1779. The March 25 edition advertised the sale of Jouett’s estate, and May 10, 1779 advised all those who had debts to settle with Johnson’s estate that they had six months to do so.

Morristown, and Knyphausen believed a victory over Washington would allow New Jersey Loyalists to seize power in the state. Even if his troops could not defeat Washington's army, the invasion would trap the American soldiers in New Jersey and allow other British forces to proceed relatively uncontested throughout Maryland and Virginia.<sup>4</sup>

Knyphausen's invasion was a costly disaster for the British army that not only failed to accomplish any military objectives but also crushed the hopes of Essex Loyalists eager to return to lives they had once enjoyed in their former communities. Loyalists could not reclaim the political rights and property taken from them by the New Jersey government until the British army removed that government from power. Like Knyphausen, Loyalists believed the June invasion would meet minimal resistance from disaffected Continental soldiers and a despondent New Jersey population, and they were shocked to learn of the vigorous opposition British troops encountered. Continental soldiers and local militia units contained the invasion in Essex for two weeks before British forces retreated to Staten Island and New York City. Following Knyphausen's defeat, the British army never launched another major campaign to end the Revolution in New Jersey dashing Essex Loyalists' hopes to reclaim their property through military conquest.

The British government abandoned its war against American independence in 1782 leaving the fate of Loyalists in the hands of British diplomats rather than British soldiers. The 1783 Treaty of Paris ended the American Revolution and seven years of destructive military activity within Essex County, but it did not provide a clear answer concerning the future of Essex Loyalists. The treaty expressly forbade the continued

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<sup>4</sup> Fleming, *New Jersey's Revolutionary Experience*, Volume 8, *The Battle of Springfield*, 7, 12.

persecution of Loyalists within the United States and recommended that state governments grant them the chance to reclaim seized property. The people of Essex, however, were outraged by the treaty's provisions concerning Loyalists and had no intention of abiding by them. This chapter examines how the final years of the Revolution within Essex County strengthened residents' commitment to Whig ideology and their animosity towards Loyalists. Although Alexander Hamilton and others believed that Loyalists' talents were vital to the success of the new American republic, the people of Essex would not tolerate Loyalists' presence in the same communities in which they had plundered, kidnapped, and murdered so prominently. In the wake of the Revolution, Essex residents were still recovering from the emotional and economic devastation their communities had suffered, and they did all they could to prevent Loyalists' return.

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General Knyphausen had good reason to believe his June 1780 invasion of New Jersey could topple the state's civil and military authorities. Throughout the winter his army at New York achieved several victories over the American forces stationed in New Jersey and instilled widespread anxiety throughout the Essex population. British soldiers on Staten Island easily repelled a numerically superior American force that invaded Staten Island with the intention of ending the British army's three and half year occupation of it. On January 15, 1780, General William Alexander led approximately 2,500 Continental soldiers and militiamen against a British garrison half that size, but the Americans could not disperse the well-entrenched British soldiers. Alexander ordered his troops to retreat after only one day, and their invasion produced no tangible military

results except widespread frostbite among American soldiers and additional British reinforcements being sent to Staten Island.<sup>5</sup> In addition to their successful defense of Staten Island, Knyphausen's forces launched several successful attacks on both Essex residents and the soldiers stationed within their communities throughout the winter of 1780. As illustrated in Chapter 3, British soldiers frequently marched across the frozen water of the Arthur Kill into Essex where they captured dozens of soldiers and government officials, plundered residents, and destroyed prominent landmarks like Elizabethtown's First Presbyterian Church. No target or resident was seen as off limits, and even young couples enjoying a winter sleigh ride were victims of the British army's aggressive tactics. One February afternoon, three men and three women rode their sleighs directly into the path of a small party of British soldiers who had crossed into Rahway. The soldiers captured the young men and used their own sleighs to carry them across the ice to Staten Island while leaving the girls the difficult task of walking home to inform everyone of what had happened.<sup>6</sup> Similar incidents of plundering and kidnapping were common throughout the winter and eroded local morale so greatly that Reverend James Caldwell claimed its residents had been "reduced to the greatest distress."<sup>7</sup>

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<sup>5</sup> Edwin Hatfield, *The History of Elizabethtown, NJ* (New York: Carlton & Lanahan, 1868), 478-481.

In addition to accomplishing little of strategic importance, the January 15 assault on Staten Island was marred by the behavior of militia forces against the island's Loyalist population. Washington ordered his soldiers to only seize property that could serve a military purpose, but this order was widely ignored. Reverend James Caldwell claimed their behavior was a "disgrace as will not be easily, I may say possibly, wiped off," and Essex County magistrates claimed they would prosecute looters and return as many stolen goods as possible. See Lundin, *Cockpit of the Revolution*, 424 and John R. Anderson, *Shepard Kollock, Editor for Freedom: The Story of the New Jersey Journal in Chatham, 1779-1783* (Chatham, NJ: Chatham Historical Society, 1975), 33.

<sup>6</sup> Unnamed newspaper, *Archives of the State of New Jersey (ASNJ)*, Second Series, Vol. 4, *Extracts from American Newspapers Relating to New Jersey*, November 1, 1779-Sept. 30, 1780, William Nelson ed. (Trenton: State Gazette Publishing, 1914), 172 and Theodore Thayer, *As We Were: The Story of Old Elizabethtown* (Elizabeth, NJ: Grassman Publishing Company, Inc., 1964), 132.

<sup>7</sup> James Caldwell to General Green, February 12, 1780, "Caldwell (James) Letters, 1776-1785" in *Proceedings of the New Jersey Historical Society*, Volume 60, 1942, 249-253.

The Essex population's growing anxiety was brought on not only by the British army's assaults on their communities but also the significant victories the British army had achieved in its Southern campaign. By the close of 1779, British soldiers had secured control over most of Georgia and reinstalled its royal governor. They decimated the American and French forces fighting to retake Savannah and inflicted approximately 1,400 casualties while suffering only 100 casualties themselves.<sup>8</sup> These setbacks, however, were insignificant compared to the British army's capture of Charleston, South Carolina in May of 1780. After a six-week siege, General Benjamin Lincoln surrendered the city and approximately five thousand Continental and militia forces to General Henry Clinton.<sup>9</sup> The loss of Charleston was the worst defeat suffered by America throughout the war. It significantly depleted the size of the Continental Army and gave British forces a clear path into the South Carolina interior as well as North Carolina and Virginia. Moreover, it greatly boosted the morale of British troops throughout America. According to Hessian general Carl Wilhelm von Hachenberg in New York City, the British army's recent success demonstrated that "the English lion has awakened from its sleep."<sup>10</sup>

Knyphausen also based his summer invasion plans on intelligence reports concerning the New Jersey population's growing displeasure with their worthless paper currency and widespread economic shortages. The people of New Jersey suffered greatly due to the extremely cold temperatures during the winter of 1780, and their suffering was compounded by widespread hunger. Hundreds of cattle died because they did not receive

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<sup>8</sup> Harry M. Ward, *The American Revolution: Nationhood Achieved 1763-1788*. (New York City: St. Martin's Press, 1995), 130-131.

<sup>9</sup> William B. Willcox, *Portrait of a General: Sir Henry Clinton in the War of Independence* (New York: Alfred A. Knopf, 1964), 300-311.

<sup>10</sup> *Revolutionary War Letters Written by Hessian Officers: Generals Wilhelm von Knyphausen, Carl Wilhelm von Hachenberg, Friedrich Wilhelm von Lossberg, Johan Friedrich Cochenhausen, Friedrich von Riedesel, and Major Carl Leopold von Baurmeister*. Translated and Edited by Bruce E. Burgoyne and Dr. Marie E. Burgoyne, (Westminster, MD: Heritage Books, 2005), 6-10, 29-33.

enough food, and one New Jersey resident lamented “the prospect of Scarcity . . . and want of Bread more and more appeared, & the Crys of the poor began to be heard in our once plentiful and peaceful Land.”<sup>11</sup> Citizens’ hunger and economic misfortune increased further as Washington’s soldiers, many of whom were reduced to eating their shoes, tree bark, or dogs, seized residents’ cattle and grain in exchange for promissory notes widely regarded as worthless.<sup>12</sup> The material shortages and economic chaos within New Jersey prompted former governor William Franklin and other British agents to assure Knyphausen that the Revolutionary government no longer had the support of the people and that they would not resist a British invasion. Some reports optimistically stated that Loyalists living discreetly in Monmouth and Sussex counties as well as Loyalists in Maryland and Pennsylvania promised to eagerly take up arms against the Revolution once a British invasion began.<sup>13</sup>

Most importantly, Knyphausen thought his invasion would be successful because he did not expect Washington’s soldiers to offer much resistance defending Revolutionary governments that could not provide them adequate wages and necessary provisions. The rampant inflation of Continental currency rendered soldiers’ wages established years earlier by state legislatures increasingly valueless, and state governments’ inability to pay their soldiers in a timely manner simply prolonged the damaging effects inflation had on their wages. Adding to New Jersey soldiers’ discontent, Livingston’s government was unable provide the clothing it had promised and left soldiers in a constant state of want. The few provisions the New Jersey government

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<sup>11</sup> Leonard Lundin, *Cockpit of the Revolution: The War for Independence in New Jersey* (Princeton: Princeton University Press, 1940), 425-426.

<sup>12</sup> James Thacher, *Military Journal of the American Revolution* (New York: New York Times and Arno Press, 1969), 170-182.

<sup>13</sup> Fleming, *New Jersey’s Revolutionary Experience*, Volume 8, *The Battle of Springfield*, 7-9.

did send to its soldiers throughout the winter of 1780 were often of poor quality and only increased soldiers' frustrations. Clothing issued to the New Jersey Continental Line tore easily or quickly fell apart leaving soldiers exposed to the cold air, wind, and precipitation. Such problems were not limited to select items; sometimes entire shipments of clothing ripped immediately after they were put on. One New Jersey soldier recalled that one shipment of clothing contained items so small that they would not fit "even the most minute Person in the Character of a Soldier."<sup>14</sup> The clothing shortage was so great that it even affected the most prominent officers of the New Jersey Continental Line. One Loyalist traveling in New Jersey under a passport met with General William Maxwell and described the general's "old thread-bare blue coat, and a still shabbier hat" as being of such low quality that "in England one would take him for an invalided corporal of Artillery."<sup>15</sup> Similar reports from other Loyalists traveling within the state or from Continental deserters seeking refuge on Staten Island fueled British speculation that New Jersey's soldiers would not fight to protect a government that ignored their needs.

Knyphausen and British officers interpreted recent incidents involving the Continental Army in New Jersey as evidence affirming their belief that it would not resist a British invasion. Intelligence indicated that Washington's army suffered from a breakdown in soldiers' discipline, and despite the dangers facing Essex County many of its citizens were at the forefront of this disobedient behavior. In April 1779, fifty officers from the New Jersey Continental Line, including such respected Essex County residents as Colonels Elias Dayton, Matthias Ogden, and Francis Barber, petitioned the New Jersey

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<sup>14</sup> Mark Edward Lender, "The Enlisted Line: The Continental Soldiers of New Jersey" (Ph.D. diss., Rutgers University, 1975), 231.

<sup>15</sup> Ward, *William Maxwell and the New Jersey Continentals*, 109.

legislature for economic assistance to counteract the problem of inflation. They asserted that the dissolution of their regiments was “inevitable” because of the economic chaos within the state. They argued that a private could not secure a “single bushel of wheat” for his family with four months wages and that a colonel could not buy “him[self] a single dinner” with one day’s pay in 1779.<sup>16</sup> The situation escalated to a near mutiny on May 6 as Major Aaron Ogden of Elizabethtown and twenty other officers in New Jersey’s First Continental Regiment threatened to resign their commissions en masse if their demands concerning wages were not met within three days. The timing of their ultimatum seemed treasonous to some legislators as it was made on the same day the regiment received orders to join a campaign against hostile Indians in New York. The state government, however, temporarily resolved the crisis by promising £200 awards to each officer and \$40 for each soldier, but disciplinary problems continued throughout the winter of 1780.<sup>17</sup> The lack of food, clothing, and fair wages for the soldiers at Morristown led approximately six hundred to desert their regiments in January alone.<sup>18</sup> By the end of the spring, Washington faced another near mutiny as two Connecticut regiments attempted to leave their camp at Morristown after going three days without food. Washington’s spirits sank to a new low due to the material and personnel problems facing his army, and he complained to his brother in June that “without some change we are hastening to our ruin.”<sup>19</sup> While Washington worried about the ongoing problems of discipline and supplies, Knyphausen rejoiced over reports concerning the Connecticut

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<sup>16</sup> Memorial of the Officers of the New Jersey Brigade to the Legislature, April 17, 1779 in Larry R. Gerlach, ed., *New Jersey in the American Revolution: A Documentary History* (Trenton: New Jersey Historical Commission, 1975), 344-345. According to state law, a private would receive \$6.66 per month and high ranking officers such as colonels would receive \$7.50 per month.

<sup>17</sup> Ibid. and Lender, “The Enlisted Line,” 221-224 The officers demanded that they receive their bonuses in “Spanish milled dollars” rather than Continental currency, but the legislature did not comply.

<sup>18</sup> Fleming, *New Jersey Revolutionary Experience*, Volume 8, *The Battle of Springfield*, 6.

<sup>19</sup> Lundin, *Cockpit of the Revolution*, 426.

regiments' behavior. He concluded that the Continental forces in New Jersey were "completely dissatisfied," and some British officers were optimistic enough to believe that "half of Washington's army would desert and come over to us" upon their invasion.<sup>20</sup>

Despite the numerous economic, social, and military problems facing New Jersey in June 1780, the people of Essex and Continental forces stationed in the region offered strong resistance to Knyphausen's troops once they were spotted at Elizabethtown Point. A rider dispatched by General William Maxwell set fire to the militia beacon on Hobart Mountain near Springfield. Its smoke could be seen for miles and alerted men of their need to take up arms and meet their militia units at pre-arranged locations.<sup>21</sup> The male population of Essex had frequently disappointed Revolutionary leaders with their aversion to military service. They had ignored Washington's calls for assistance as he fled before Cornwallis's army in November 1776, and militia delinquency remained a problem throughout the war despite the danger British raiders posed to their communities. Essex men, however, responded to Knyphausen's invasion with a sense of military enthusiasm not witnessed since the Forage War of 1777. They joined the Continental forces under Colonel Elias Dayton in harassing the invaders and dealt the British a devastating loss soon after their arrival when a single volley mortally wounded General Thomas Sterling.<sup>22</sup> Dayton's regiment and local militia used hit and run tactics against the numerically superior force. According to one British officer, their knowledge of the region allowed them to safely fire upon British soldiers from the bushes and

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<sup>20</sup> *Revolutionary War Letters Written by Hessian Officers*, 6-7, 29-33. The problems concerning Continental Army payment and provisions persisted throughout the war and led a mutiny in January of 1781 involving two Pennsylvania regiments and two New Jersey regiments. See Ward, *General William Maxwell*, 149 and 162 and Lender, "The Enlisted Line," 234-245.

<sup>21</sup> Ward, *General William Maxwell*, 150-151.

<sup>22</sup> *Ibid.* These soldiers were under the command of Newark resident Moses Ogden who served as an Ensign in the Continental Army.

thickets found in “very woody and hilly” areas “with great advantage.”<sup>23</sup> General von Hachenberg recalled that the inhabitants displayed remarkable energy and that “the entire countryside was under arms. The militia was everywhere, on the right, the left, and in our rear, and they were not driven off until Springfield.”<sup>24</sup> This unexpected resistance stunned Knyphausen. He later complained that “the disposition of the inhabitants [was] by no means such as I expected; on the contrary they were everywhere in arms” without “the spirit of desertion amongst their troops which it was represented to me existed amongst them.”<sup>25</sup>

Essex residents’ enthusiastic response against the British army’s June 7 invasion reflected their complete political evolution from British subjects to citizens of the American republic. Several years earlier they had vigorously professed their desire to remain a part of a reformed British empire, and as recently as 1777 many inhabitants only pledged allegiance to the independent government because of the coercive economic provisions in the Act of Free and General Pardon. Three years of consistent and destructive warfare with the British and Loyalist population of New York City and Staten Island, however, eroded any lingering affection reluctant Whigs might have had for the British constitution or British society. By 1780, Essex residents were disaffected with the Revolutionary government and its failure to solve its military shortcomings, material shortages, and the state’s currency crisis. They did not consider the restoration of British authority, however, as a viable solution to these problems. Their frustration with their military and economic situation in June of 1780 was surpassed by their intense hatred for the British forces that continued this destructive war effort, and they equated acceptance

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<sup>23</sup> Ibid.

<sup>24</sup> *Revolutionary War Letters Written by Hessian Officers* 38.

<sup>25</sup> Ward, *General William Maxwell*, 151.

of Knyphausen's invasion with assuming the yoke of British tyranny. Much like the mutiny of the Pennsylvania Continental Line in January 1781, Essex residents had valid grievances against the Revolutionary government, but they would not allow the British to exploit those grievances in their war against the republic.<sup>26</sup>

The Essex residents who took up arms against Knyphausen's invasion reflected the great diversity of wartime experiences and political beliefs found amongst the Patriot population. One hundred and sixty-eight men from across the county participated in the June 7 battle against the massive British army, and some residents traveled over fifteen miles from the county's northernmost township, Acquackanonk, in order to render military service.<sup>27</sup> Men who suffered no property loss to British or Loyalist plunderers fought alongside Essex residents who had lost small fortunes at the hands of the enemy such as Jacob Vreeland or Colonel Moses Jacques.<sup>28</sup> Most importantly, the Essex militia contained both men whose wartime behavior was governed by strict Whig ideology as well as those whose conduct jeopardized the war for independence. The region's most

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<sup>26</sup> Ward, *The American Revolution*, 222-224 and Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783* (Chapel Hill, University of North Carolina Press, 1979), 300-308. On January 1, 1781, Pennsylvania troops stationed near Morristown marched on Philadelphia to address their concerns over bounties and the state's refusal to discharge soldiers who claim to have enlisted for only three years of service. They got as far as Trenton and pledged that they would fight should the British launch another invasion. British envoys sent by General Clinton in New York offered to give them their back pay if they enlisted in the British army or pledged neutrality, but his agents were arrested and hanged on at Trenton on January 11.

<sup>27</sup> "Vreeland, Jacob" and "Shelley, Samuel," Department of Defense, Adjutant General's Office (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, New Jersey State Archives (NJSA), Trenton. This number was derived from war records of men listed as serving in the Essex militia at the Battle of Connecticut Farms on June 7, 1780. It is possible that the number who joined the battle against the British invaders was even higher. An additional 55 men are documented as providing militia service between "June 7 and June 23" with specific mention of the Battle of Connecticut Farms, and 54 men are listed as providing militia service at some point in the month of June. Jacob Vreeland and Samuel Shelley participated in the battle, and according to county tax records, owned property only in Acquackanonk township. See Tax Ratables, Box 99, Essex County, Acquackanonk Township – February 1779, NJSA, Trenton.

<sup>28</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Acquackanonk Township and Westfield Township, NSJA, Trenton. Jacob Vreeland of Acquackanonk lost £301 worth of property to the British in November 1776. Moses Jacques of Westfield lost £217 worth of property to the British in June 1777.

passionate Whigs responded to the British invasion as one would expect, and true citizen-soldiers like David Bryant of Springfield joined Dayton's regiment. Bryant was not scheduled for militia service in June, but he joined the battle nonetheless due to his own convictions.<sup>29</sup> Bryant personified the Whig principles of sacrifice and virtue in the face of oppression, but he fought alongside men who had previously demonstrated indifference to or tolerance of the British army. For example, both Clark Miller of Westfield and Joseph Tomkins of Newark had been fined for militia delinquency earlier in the war, but they joined Bryant in risking their lives to repel Knyphausen's army.<sup>30</sup> Even men convicted of supplying vital military provisions to the British army took up arms against the British invasion. In September 1779, James Jaralman of Newark was arrested, tried, and convicted for participating in the London Trade and sentenced to pay a £100 fine.<sup>31</sup> Jaralman had no problem conveying goods or other residents into enemy territory in exchange for the economic stability found in British specie. The wounds he received fighting British soldiers on June 7, however, demonstrated that he would not accept the restoration of British authority within the state.<sup>32</sup>

The significant resistance offered by the Continental and militia forces under Dayton and Maxwell and the advantageous position held by Washington's forces prompted Knyphausen to end his march short of Morristown near the western border of Essex. The invaders, however, left a lasting mark on the region before falling back to Elizabethtown. Maxwell would later claim that "never did troops, Continental or militia

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<sup>29</sup> "Bryant, David," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>30</sup> "Miller, Clark" and "Tomkins, Joseph," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>31</sup> New Jersey Supreme Court Case Files (Microfilm), Judgments and Process Books and Indexes, 1743-1948, Judgment and Process Book N, #134, May 1776-June 1782, No. 28, Case Files # 35229,

<sup>32</sup> "Jaralman, James," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

forces, behave better than ours did” on June 7, but his soldiers’ bravery was not enough to save the village of Connecticut Farms from destruction. British soldiers plundered the homes and businesses within the small Essex settlement, and before departing they set fire to the entire village. This was not the first destructive fire set by British forces during their activities within Essex. British soldiers burned the house of Benjamin Coe in November 1776, and they burned the Academy in Newark as well as the Elizabethtown courthouse and First Presbyterian Church in January 1780.<sup>33</sup> The Battle of Connecticut Farms, however, represented the first time the British wantonly destroyed an entire Essex community. They burned fourteen houses and barns as well as the local Presbyterian church leaving dozens of people homeless, traumatized, and in economic ruin.<sup>34</sup> According to Nathaniel Peabody, only two or three houses were left standing as the British demonstrated their “usual Heroic and Humane manner to plunder, burn, kill & destroy the defenceless and almost deserted town.”<sup>35</sup> Both soldiers and civilians within New Jersey were unaccustomed to such widespread destruction. One Continental Army officer reported that any “American who could have beheld the scene” at Connecticut Farms “and not swear vengeance against these savage enemies, ought to have a mark set on him as a curse to the human species.”<sup>36</sup>

Essex residents who did not witness the destruction of Connecticut Farms quickly learned of it through word of mouth or newspaper reports labeling it as a “horrid scene”

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<sup>33</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Newark Township, Benjamin Coe, NJSA, Trenton. The house measured sixty by thirty-eight feet and was worth approximately £250.

<sup>34</sup> Unnamed newspaper, *ASNJ*, Second Series, Vol. 4, 415.

<sup>35</sup> Nathaniel Peabody to Meschech Weare, June 24, 1780 in the Edwin J. Grassman Collection, Manuscript Group 1085, New Jersey Historical Society, Newark, NJ.

<sup>36</sup> Unnamed newspaper, *ASNJ*, Second Series, Vol. 4, 445.

that reflected the “awful cruelty,” “barbarism,” and “merciless nature” of the British.<sup>37</sup> The image of an entire village population standing in the ashes of their former community stirred intense anger throughout the state. The most fervent reaction to the British conduct at Connecticut Farms, however, stemmed from the damage done by a pair of musket balls. As the British army retreated to Elizabethtown, Mrs. Hannah Caldwell, the wife of Presbyterian minister James Caldwell, laid dead in the home of Henry Wade, one of the few dwellings not destroyed by Knyphausen’s troops.<sup>38</sup> When Caldwell learned of the British army’s approach she sought shelter in what she believed to be a secure room in her house along with her three-year old daughter, eight-month old baby, and her housekeeper. Although Caldwell believed they were safe, during the battle two musket balls struck her in the chest quickly killing her as the children and servant watched in horror. Caldwell was the mother of nine children under the age of sixteen, and her death was a crushing blow to not only her family but to her entire community. Those who knew her described Caldwell as a spiritual, “virtuous,” and “amiable woman” who was “one of the most meek and inoffensive persons in the country.”<sup>39</sup> Her neighbors carried her body into the Wade home where they grieved for her death and watched enemy soldiers plunder the Caldwell house before setting it ablaze.

The murder of any Essex woman by British soldiers, let alone a prominent one such as Hannah Caldwell, would greatly hinder the British army’s attempts to secure the allegiance of disaffected New Jersey residents. Military tradition dictated that women should only play an indirect role in warfare and that men needed to protect them from the

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<sup>37</sup> Unnamed newspaper, *ASNJ*, Second Series, Vol. 4, 415, 422, 502.

<sup>38</sup> Hatfield, *The History of Elizabeth*, 493.

<sup>39</sup> Unnamed Newspaper, *ASNJ*, Second Series, Volume 4, 531, 422.

dangers of battle.<sup>40</sup> Loyalist newspapers tried to protect the British army from the controversy surrounding Caldwell's death by blaming it on the American forces. "A British Officer" wrote in *The Royal Gazette* that "the REBELS, agreeable to their usual practice, have published many glaring falsehoods relative to the late movement in Jersey." He argued that Caldwell was killed by a "random ball" that was "beyond a doubt . . . fired by the rebels themselves."<sup>41</sup> Additionally, Ebenezer Forest, a Loyalist from Woodbridge, claimed to have inspected Caldwell's house after the battle and also asserted that the British forces could not have fired the deadly shot. Forest stated that only a single musket ball struck the Caldwell home during the battle, and since it was lodged in a wall opposite the position of American forces he deduced American soldiers must have fired the deadly shot.<sup>42</sup>

American soldiers and Connecticut Farms residents, however, forcefully repudiated Loyalists' reports and portrayed Caldwell's death as a calculated act of cruelty by ruthless British soldiers. Based on residents' accounts, historian Edwin Hatfield asserts that a British soldier jumped over the fence and approached the room's lone window as Caldwell sat on the bed with her maid and small children. When the maid noticed this soldier and informed Caldwell of what she saw, Caldwell's son ran to the window to investigate prompting his mother to stand up to stop him. As she rose from the bed the British soldier fired his double-barreled musket at the window sending both musket balls through her chest.<sup>43</sup> The soldier likely detected the sudden movement by

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<sup>40</sup> One New Jersey woman argues that the British knowingly ignored these customs and "even waged war against our sex." See "The Sentiments of a Lady in New-Jersey," *The New Jersey Gazette*, July 12, 1780. The author likened the murder of Hannah Caldwell to the murder of Jane McCrae, a Loyalist woman who was killed and scalped by Indians hired by General Burgoyne in July 1777.

<sup>41</sup> Unnamed Newspaper, *ASNJ*, Second Series, Volume 4, 451-453.

<sup>42</sup> Unnamed Newspaper, *ASNJ*, Second Series, Volume 4, 565.

<sup>43</sup> Hatfield, *The History of Elizabethtown*, 492.

the window, and after enduring enemy fire during the march from Elizabethtown suspected it to be a sniper and fired into the dark room. American troops and newspapers, however, extended no leniency to this soldier and did not portray this incident as a tragic accident. James Thacher of the Continental Army described the scene as an unprovoked murder and wrote, “a British soldier came to the house, and putting his gun to the window of the room, shot her through the breast” as she sat on the bed.<sup>44</sup> One Morristown resident published a similar account claiming that the soldier “shot her through the lungs dead on the spot” and labeled her husband “absurd” for trusting British troops to extend “benevolence towards the helpless.” According to this author, the only comfort the British extended to the grieving and newly homeless Caldwell children was that their mother “lost her life without distress or pain. Thus it is that even the tender mercies of the wicked are cruelty.”<sup>45</sup> Such reports, exaggerated or not, resonated with the stunned Essex population.

Although New Jersey’s leaders were pleased by the enthusiastic and disciplined conduct of Maxwell’s Continental soldiers and the Essex militia on June 7, they recognized that Knyphausen’s army remained an ongoing threat to the Revolutionary movement in New Jersey. Knyphausen’s decision to remain in Elizabethtown rather than retreat to Staten Island signaled his intent to attack again, and when he did he would command an even larger army. Upon his return from South Carolina, General Clinton dispatched another 1,000 soldiers to reinforce Knyphausen. The continued presence of 6,000 British soldiers in Elizabethtown deeply concerned the state’s political and military

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<sup>44</sup> Thacher, *Military Journal*, 199.

<sup>45</sup> *The Pennsylvania Packet*, June 13, 1780. The author further states that some residents believed that the British planned to murder Hannah Caldwell. Her husband relocated the family further inland to protect them from alleged British kidnapping plots, and a woman three miles from Connecticut Farms claimed she was accosted by British troops who believed her to be Hannah Caldwell.

leaders. William Livingston feared greatly for the safety of his family and wrote to his wife “My anxiety for you & the Children has been inexpressible . . . thoughts of your situation and that of the poor girls cuts me to the heart.”<sup>46</sup> Livingston’s fears for his family and constituents were compounded by widespread militia delinquency throughout the state. Although a large number of Essex residents reported for duty after Knyphausen’s June 7 invasion of the state, men from other counties were less willing to join the Continental Army in its defense of the state.<sup>47</sup> The governor ordered the state’s militia into service on June 11, but many of those currently on active duty within their communities refused to march to Essex because their service was scheduled to end only two days later. Furthermore, many residents throughout the state who were scheduled to begin active service on June 13 claimed they were too busy with the responsibilities of planting season to report to Essex for militia duty.<sup>48</sup> Two weeks after Maxwell and Dayton’s forces stopped the British at the Battle of Connecticut Farms, General William Alexander of the Continental Army asserted that “the States are on the Brink of Destruction, nothing can save them but the most speedy & vigorous Exertions.”<sup>49</sup>

Knyphausen launched his second assault towards the interior of the state on June 23, 1780, but his increased numeric advantage did not make this invasion any more successful than the first. He left approximately 1,800 of his men to guard the British position at Elizabethtown and marched inland with his 4,200-man army split into two

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<sup>46</sup> William Livingston to Susannah French Livingston, June 9, 1780, *The Papers of William Livingston*, Volume 3, January 1779-June 1780, Carl E. Prince, Dennis P. Ryan, Brenda Parnes, Mary Lou Lustig eds. (New Brunswick, NJ: Rutgers University Press, 1986), 424.

<sup>47</sup> “Crane, Jacob, Return of the 1<sup>st</sup> Regiment of the Essex County militia, June 11, 1780,” Sol Feinstone Collection of the American Revolution, #208, David Library of the American Revolution, Washington Crossing, PA. Crane’s regiment was quite full with 265 men “present fit for duty” on June 11. He lists 74 men as absent.

<sup>48</sup> *The Papers of William Livingston*, Volume 3, editor’s note, 432.

<sup>49</sup> William Alexander quoted in William Livingston to Samuel Huntington, June 20, 1780, *The Papers of William Livingston*, Volume 3, 436.

groups, both of which faced fierce resistance from Continental and militia units at the Battle of Springfield. Reverend James Caldwell, still mourning the loss of his wife, famously assisted the American troops defending the Galloping Hill Bridge across the Rahway River by sacrificing a collection of hymnals from his church for the soldiers to use as paper wadding in their muskets.<sup>50</sup> The advancing British columns re-united in the village of Springfield, but after skirmishing with militia units and learning that General Nathaniel Greene's forces held superior position, Knyphausen once again ended his invasion. His soldiers retreated at a quick pace back towards Elizabethtown and left fifteen soldiers dead along the road as local militia harassed them during their retreat. By late afternoon they had begun crossing their makeshift bridge back to the safety of Staten Island ending a two-week military disaster for the British army. Knyphausen's troops suffered significantly more casualties than they inflicted upon New Jersey's defenders, and they failed to accomplish any of their military objectives such as defeating or trapping Washington's army, plundering its stores, or initiating a Loyalist uprising in the state.<sup>51</sup> While Washington lavished great praise upon the Continental and militia forces for the bravery they showed in battle, British soldiers lost the confidence they felt on the eve of the attack and complained about the pointlessness of the campaign. One Hessian commander lamented "I regret from the depths of my heart that the great loss of the Jaegers took place to no greater purpose."<sup>52</sup>

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<sup>50</sup> Thayer, *As We Were*, 145.

<sup>51</sup> Ward, *General William Maxwell*, 157. Knyphausen's army suffered approximately 300 casualties on June 23 compared to only 75 casualties among the Continental Army and state militia. For full accounts of the troop movements and strategy during the Battles of Connecticut Farms and Springfield see Thomas Fleming, *New Jersey's Revolutionary Experience*, Volume 8, *The Battle of Springfield* or Ward, *General William Maxwell*, 150-160.

<sup>52</sup> Unnamed newspaper, *ASNJ*, Second Series, Vol. 4, 480 and Fleming, *New Jersey's Revolutionary Experience*, Volume 8, *The Battle of Springfield*, 28. Washington stated "the militia

The American army that stopped Knyphausen's invasion at the Battle of Springfield lost many soldiers to British artillery barrages and infantry charges on the contested bridges, but the greatest suffering fell upon the residents of Springfield rather than the troops defending it. Soon after British troops entered the village, the Continental and militia forces re-organized on the hills outside Springfield. While preparing for another British advance the soldiers observed clouds of smoke rising from the village below and quickly realized that Knyphausen's forces had once again set fire to an entire Essex community. The Springfield residents fighting alongside General Greene's Continental soldiers were outraged, and their comrades needed to forcibly restrain them from wildly charging into their community to attack the British soldiers responsible.<sup>53</sup> The fire was most likely set by the Loyalists of the New Jersey Volunteers. They had played a prominent role during Knyphausen's June 23 assault, and the fire consumed every building within Springfield except four that were all owned by known British sympathizers.<sup>54</sup> These destructive tactics did little to appeal to the disaffected Whigs within the state, but the Loyalists within Knyphausen's army likely viewed this fire as a justified response against those who had acquired their property in the past three years.

Although Springfield and Connecticut Farms suffered the same fate in June 1780, the economic devastation inflicted upon Springfield residents was significantly greater. Springfield residents owned larger personal estates and more valuable real estate than their neighbors to the southeast.<sup>55</sup> According to the property damage reports compiled by

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deserves every thing that can be said . . . they flew to arms universally, and acted with a spirit equal to anything I have seen in the course of the war."

<sup>53</sup> Fleming, *New Jersey's Revolutionary Experience*, Volume 8, *The Battle of Springfield*, 27-28.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Inventories of Damages by the British and Americans in New Jersey, 1776-1782*, Springfield Township and Connecticut Farms Township, NJSA, Trenton. According to the war damage claims collected by the state government, the total damage in Connecticut Farms was £8,378 compared to £6,600

the New Jersey government after the war, Connecticut Farms residents lost personal effects and dwellings worth an average of £125, but Springfield residents lost more than twice that with an average of £271.<sup>56</sup> Furthermore, in only 20% of the damage reports Connecticut Farms residents filed did they claim to lose property valued over £300, but nearly half of all Springfield claimants listed personal effects and dwellings worth over £300. Joshua Horton Jr., for example, was a silversmith in Springfield who lost £393 of property to the British troops including his house, all furniture and clothing, his shop, and all the tools necessary to continue his trade.<sup>57</sup> James Black lost a similar amount with the destruction of his house as well as his weaver shop containing several looms, spinning wheels, and fabric.<sup>58</sup> Joseph Crane suffered the greatest loss of any Springfield resident because he owned two houses within the village worth over £600 total.<sup>59</sup> Most villagers hid valuable assets in their fields or in wells before fleeing from the British invaders, and after Knyphausen's forces retreated these few items were all these individuals had left. One militiaman overlooking Springfield on the evening of June 23 proclaimed "the whole scene was one of gloomy horror – a dead horse, a broken carriage of a fieldpiece, a town laid to ashes, the former inhabitants standing over the ruins of their dwellings, and the

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in Springfield. These totals in these reports, however, do not reflect the actual total damage inflicted in each community as Springfield was the larger settlement and lost twice as many homes and businesses to British fire. The lower damage total for Springfield is a statistical anomaly. One possible explanation would be that Springfield victims were not present to file reports after the war or that some of its residents were mistakenly included in the Connecticut Farms report.

<sup>56</sup> Ibid. Calculations reached by comparing the war damages filed by Connecticut Farms residents pertaining only to the British assault on "June 7, 1780" or in "June 1780" to those filed by Springfield residents pertaining to the British activity on "June 23, 1780" or "June 1780." All claims relating to damage inflicted in 1776 or 1777 were disregarded as were the damage claims for each community's "Parish" or "Meeting Hall." If you compare the media war damage claim for each community, the discrepancy increases to approximately 1:5. The median claim in Connecticut Farms was £53, and the median claim in Springfield was £288.

<sup>57</sup> Ibid. Springfield Township, No. 28, Joshua Horton Jr.

<sup>58</sup> Ibid. Springfield Township, No. 10, James Black.

<sup>59</sup> Ibid. Springfield Township, No. 22, Joseph Crane. To place this value in context, the Presbyterian Meeting House destroyed by the British army was worth £1,000.

unburied dead, covered with blood.” He later professed that the situation “filled me with melancholy feelings, till I was ready to say – is the contest worth all this?”<sup>60</sup>

Newspaper accounts describing the devastation at Springfield illustrated that the majority of New Jersey citizens did not share this soldier’s doubts concerning the war, and most strengthened their commitment to the Revolution in response to the destruction. The methods utilized by the British army furthered the argument made by many Whig authors since the start of the war – the British were a merciless and corrupt people that Americans needed to break away from in order to preserve their virtue. One author described the British army’s recent conduct as “an opportunity for reaching the summit of that cruelty after which [the British] have been climbing for so many years.”<sup>61</sup> Writing in the *New Jersey Journal*, “A Citizen” asserted that the destruction of Springfield demonstrated the irreconcilable differences between American and British societies. He argued that Americans had been foolish to ever believe they could “save Britain” from its corrupted government at the start of the war. He proclaimed that the British army has “schooled us out of our error” with “dwelling houses and temples in flames before your eyes; the aged, the widow, the fatherless insulted, beaten, and plundered without pity.”<sup>62</sup> “A Citizen” called particular attention to both the murder of Hannah Caldwell and British soldiers’ decision to both plunder and burn her home after her death as reflective of the savage nature of the entire British population. Even if her death was accidental, “did one officer or one soldier protect the corps, or save any property for the bereaved babes—Not one . . . her corps which was in part stripped must have been consumed in the flames had

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<sup>60</sup> Ward, *General William Maxwell*, 157.

<sup>61</sup> Unnamed Newspaper, *ASNJ*, Second Series, Vol. 4, 422.

<sup>62</sup> Unnamed edition of *The New Jersey Journal*, *ASNJ*, Second Series, Vol. 4, 547-548.

it not been for the humanity” of her American neighbors.<sup>63</sup> His conclusions on the moral depravity of the British army were shared by another author stating that the “cruel burnings raised the resentment of the whole country to the highest pitch, they are ready almost to swear an everlasting enmity to the very name of a Briton.”<sup>64</sup>

These authors regarded the wickedness of the British army as a reflection of the corruption of all British society, and they particularly condemned New Jersey Loyalists who continued to support it. “A Citizen” professed that Loyalists’ role in the destruction of Connecticut Farms and Springfield illustrated their incompatibility with virtuous American citizens. He encouraged readers “do not so much as please the tories ears, by a groan under the complicated difficulties you have to struggle with. The greater [the difficulties] are the more honour you will gain by cheerfully surmounting them.”<sup>65</sup> He professed Americans’ need to permanently rid themselves of Loyalists’ corruptive influence and proclaimed, “Free yourselves from the hope of reunion with such men. *Hope*, did I say? Pardon the expression! Your generous souls are too sensibly stung with resentment to admit the unnatural bond . . . rise then together and exterpate those wretches root and branch from this continent, which was given to freemen.”<sup>66</sup> This anonymous author might not have been an Essex resident, but his assertion that “slavery and freedom, savage insolence and soft humanity cannot live together” rang true throughout Essex County in the wake of the British invasion.

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<sup>63</sup> Unnamed edition of *The New Jersey Journal, ASNJ*, Vol. 4, 548-549. James Thacher professed similar shock over the burning of the Caldwell home. He wrote “thus was murdered an amiable and excellent lady, and a worthy husband left with nine children destitute of even a change of clothes, or any thing to make them comfortable.” See Thacher, *Military Journal*, 199.

<sup>64</sup> “Extract of a Letter from Morristown, June 9,” *The Pennsylvania Packet*, June 13, 1780.

<sup>65</sup> Unnamed edition of *The New Jersey Journal, ASNJ*, Volume. 4, 551.

<sup>66</sup> Unnamed edition of *The New Jersey Journal, ASNJ*, Volume. 4, 550.

The failure of Knyphausen's invasion was a crushing blow to New Jersey Loyalists eager to topple Livingston's government and reclaim the personal and real property it had seized from them. The military setback they suffered in June 1780 delayed any plans they had to return to New Jersey, but the surrender of approximately 8,000 British soldiers at Yorktown in October 1781 raised doubts whether Loyalists could ever return to their former homes. The loss of Cornwallis's army in Virginia jeopardized Britain's entire war for the American colonies. Parliament could not afford to replace this army now that France was involved in the conflict and attacking British interests around the world. Many Loyalists believed stories concerning Cornwallis's surrender were merely lies spread by American newspapers. New York Loyalist William Smith described the news as "shocking" but dismissed it as Americans' attempt to erode Loyalist morale or "prevent the insurrection of Loyalists or some operation on our part."<sup>67</sup> Even when British officials confirmed the validity of the story, some fervent Loyalists like Elizabethtown's former Anglican minister could not accept that the war was lost. The Reverend Thomas Bradbury Chandler claimed, "the late blow in Virginia has given us a shock, but has not overset us. Though the clouds at present are rather thick around us, I am far from . . . desponding. I think matters will take a right turn."<sup>68</sup> The British government, however, did not share Chandler's optimism and began pursuing a diplomatic resolution to the conflict soon after Cornwallis's surrender.

Throughout Essex and all New Jersey the news of Washington's victory at Yorktown was met with extreme jubilation. Official confirmation of the British surrender reached Philadelphia on October 24, 1781 when Washington's aide-de-camp

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<sup>67</sup> *The Papers of William Livingston*, Volume 4, editor's note, 285.

<sup>68</sup> Hatfield, *The History of Elizabeth*, 547.

arrived in the city at 3:00 a.m. to notify the Congress of the Continental and French armies' success. The local watchmen triumphantly shouted the news throughout the city streets, and within a day the news had spread first to Trenton and then throughout the whole state. Governor Livingston and the legislators celebrated the joyous occasion by attending services at Trenton's Presbyterian church and gathering for a celebratory cannon discharge.<sup>69</sup> Communities throughout the state displayed similar enthusiasm with celebrations and speeches held on town greens and local taverns. Livingston could scarcely contain his enthusiasm when he wrote to his daughter on October 25. He called the news "glorious" and said although "we have not the particulars of General Washington's dispatches to Congress in print . . . we can not however wait till then for the exhibition of our Joy."<sup>70</sup>

The people of Essex joined the rest of New Jersey in celebrating the British defeat in October of 1781, but as historian Richard McCormick argues "relief from military pressure" did not bring "an immediate restoration of domestic tranquility."<sup>71</sup> The British army did not organize any new campaigns in New Jersey, but Loyalists continued their guerilla warfare within Essex long after the Battle of Yorktown. Essex County's most infamous Loyalist, Cornelius Hatfield Jr., led a band of thirty men into Elizabethtown in February 1782 and kidnapped nine residents before safely returning to British lines with these prisoners. Six weeks later, another Loyalist party struck Rahway and kidnapped

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<sup>69</sup> *New Jersey Gazette*, October 31, 1781.

<sup>70</sup> William Livingston to Susannah Livingston, October 25, 1780. *The Papers of William Livingston*, Volume 4, July 1780-April 1783, Carl E. Prince and Mary Lou Lustig, eds. (New Brunswick NJ: Rutgers University Press, 1987), 320.

<sup>71</sup> Richard McCormick, *Experiment in Independence: New Jersey in the Critical Period, 1781-1789*, (Rutgers University Press, New Brunswick, NJ, 1950), 8.

seven of its inhabitants.<sup>72</sup> Essex County's northernmost community, Acquackanonk, was not a frequent target of British or Loyalist raids throughout the Revolution, but by 1782 the Loyalists in New York City and Bergen County presented a consistent threat to its residents. Governor Livingston wrote to Washington that "obnoxious characters" from the state of New York were relocating to Acquackanonk and threatening the stability of the region. He argued that Acquackanonk was "so exposed to the enemy that good Whigs in that part of the County" who could not afford to relocate their families "dare not sleep in their house."<sup>73</sup> As American and British diplomats negotiated the terms of American independence, Essex residents continued to pay a significant price for that goal.

The military threat posed by Loyalist raiders was not the only cause for distress among Essex residents as they awaited Britain's formal recognition of American independence. In the final year of the war British officers granted a significant number of flags of truce to Loyalists, and both Revolutionary leaders and ordinary citizens regarded their increased presence within New Jersey as a significant threat to the American republic. Many Essex residents were eager to acquire British goods by trading with Loyalists carrying flags of truce, and passionate Whigs denounced the 1782 surge in trade with the enemy as both illegal and harmful to American virtue. Whig authors labeled the pursuit of British goods as dangerous to the republic because such trade undermined their ideology's emphasis on self-sacrifice while spreading the greed and wickedness they saw in British society throughout America. Writing in the *New Jersey Gazette*, "A Plain

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<sup>72</sup> David C. Munn, *Battles and Skirmishes of the American Revolution in New Jersey*, (Bureau of Geology and Topography. New Jersey Geological Survey. Department of Environmental Protection, 1976), 36, 100.

<sup>73</sup> William Livingston to George Washington, January 26, 1782, *The Papers of William Livingston*, Volume 4, 373.

Farmer” argued that the London Trade encouraged residents “to buy goods which are not only useless, but ruinous to any people, and particular to a plain, frugal people.”<sup>74</sup> In addition to the ideological risks associated with the increase in the London Trade, Abraham Clark believed it would destroy the nation’s economy. He feared residents would give all of their specie to Loyalists in exchange for British goods leaving them no money for the future. Clark believed the recent increase in the London Trade could lead to the collapse of the republic and warned that “if not prevented [it] will soon drain the Continent of all hard cash; we are with hasty strides ruining ourselves by this destructive commerce.”<sup>75</sup> In the minds of passionate Whigs, Loyalists’ presence in Essex throughout 1782 was a fiendish plot designed by the British to accomplish economically what their army could not accomplish militarily – the collapse of the American republic.<sup>76</sup>

The military and economic dangers Loyalists posed to Essex County in 1782 came to an end when the Treaty of Paris formally concluded the war for independence. Benjamin Franklin, John Adams, and John Jay completed the preliminary peace treaty on November 30, 1782, and their negotiations satisfactorily resolved most of the major diplomatic issues facing the American and British governments. Great Britain recognized the sovereignty of the American republic and promised to return all Americans captured during the war. The treaty established America’s western border at the Mississippi River, guaranteed Americans the right to freely navigate that river, and

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<sup>74</sup> *New Jersey Gazette*, June 26, 1782 in McCormick’s *Experiment in Independence*, 10.

<sup>75</sup> McCormick, *Experiment in Independence*, 9.

<sup>76</sup> In May 1782, Chief Justice David Brearley of the New Jersey Supreme Court ordered the arrest of John Smith Hatfield and Abner Bagdeley who returned to Elizabethtown under flags of truce. Hatfield’s presence was particularly troublesome as he participated in many of Cornelius Hatfield’s raids on Essex since 1780 including the recent capture of Colonel Matthias Dayton and Captain Jonathan Dayton. The number of Loyalists entering Essex under flags of truce grew so large that Washington ordered Essex militia officers to refuse all flags and arrest the individuals carrying them. See David Brearley to William Livingston, May 13, 1782, *Papers of William Livingston*, Volume 4, 409 and 431n, Jones, *The Loyalists of New Jersey*, 91.

required the British army to abandon all its posts within American territory. The peace treaty freed Essex residents from their worries concerning harassment by British soldiers or Loyalists, and despite Whigs' ideological objections, they could now trade with British forces in New York City without fear of prosecution. The treaty was signed and sent to the Continental Congress in January 1783, and Livingston issued a proclamation on April 14, 1783 informing New Jersey citizens that their war for independence was over.<sup>77</sup>

William Peartree Smith of Elizabethtown reflected Essex residents' excitement in a letter to his friend and the current President of the Continental Congress, Elias Boudinot. Smith enthusiastically proclaimed "the glorious work is completed!" and professed that the two men could now celebrate "a Jubilee of eternal Peace and Harmony."<sup>78</sup>

As Essex residents celebrated American independence in April 1783, however, they were frequently reminded of the tremendous price they had paid for that goal. Signs of the British army's destructive campaign within Essex could still be found throughout the region three years after major military operations in their communities came to a close. Many Presbyterians in Essex, for example, still lacked a proper place for worship. British soldiers and Loyalists burned the First Presbyterian Church of Elizabethtown in January 1780, and its parishioners faced the ramifications of this act for over a decade. No alternative locations for Sunday services were readily available for the congregation. St. John's Anglican Church had lost many of its parishioners during the Loyalist exodus, but that building was not a viable option because Continental soldiers had torn out its

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<sup>77</sup> April 14, 1783 Proclamation, *The Papers of William Livingston*, Volume 4, 516-519. Information on the provisions of the preliminary treaty can be found in the editor's notes on page 443-445 and 500.

<sup>78</sup> "Letter from William Peartree Smith to Elias Boudinot on the Suspension of Hostilities (1783)," *Proceedings of the New Jersey Historical Society*, Volume 1, Issue 4, (1849), 122.

pews and floor and converted it into a stable.<sup>79</sup> In the wake of the fire, congregants were forced to meet for Sunday services at “the old red Store House” owned by Cornelius Hatfield Sr. and continued to do so until work on a new church began in 1784.<sup>80</sup> The construction was so costly the parish needed to mortgage some of the parsonage’s land to begin the project, and it would have to sell much of the church’s land in order raise the funds necessary to complete construction in 1793.<sup>81</sup> The Presbyterian populations of Connecticut Farms and Springfield experienced a similar spiritual and economic crisis in the wake of Knyphausen’s destructive invasion. They too had no suitable location for proper Sunday services, and their parishes also faced the monumental task of raising the money needed to build new churches. Springfield Presbyterians estimated the total value of their former 2,400 square foot church to be £1,002, and residents of Connecticut Farms faced even greater costs to rebuild their congregation.<sup>82</sup> Their meetinghouse was not only larger than the one in Springfield and “well-finished,” but the fire also consumed the church’s bell, schoolhouse, and Reverend Caldwell’s home. Its parishioners estimated their losses to be £1,885 worth of property, and they too would need years to rebuild both the church itself and the sense of community it fostered within the village.<sup>83</sup> The empty

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<sup>79</sup> Nicholas Murray, *Notes, Historical and Biographical Concerning Elizabethtown, its Eminent Men, Churches, and Ministers* (Elizabethtown, E. Sanderson, 1884), 109 and Samuel A. Clark, *The History of St. John’s Church, Elizabeth Town, New Jersey, From the Year 1703 to the Present Time* (Philadelphia, J.B. Lippincott and Co., 1857), 157, 163. Following the January 25, 1780 fire at the First Presbyterian Church, Reverend James Caldwell held Sunday services at an Unnamed location where he preached from “1. PET. i. 7 and GAL. vi. 9” and led his parishioners in a hymn concerning fire and the triumph of God’s faithful children. Unnamed newspaper from February 2, 1780 in *ASNJ*, Second Series, Vol. 4, 167-168.

<sup>80</sup> Nicholas Murray, *Notes, Historical and Biographical, concerning Elizabethtown*, 109, 112.

<sup>81</sup> *Ibid.*, 113.

<sup>82</sup> Inventory of Damages by the British and Americans in New Jersey, 1777-1782, Springfield Township, No. 7, Trustees of the Parish of Springfield. The dimensions of the church were 57 feet by 42 feet.

<sup>83</sup> *Ibid.* Connecticut Farms Township, No. 22, Parish of Connecticut Farms. No dimensions for the church are given, but it is described as “large and well-finished.” They listed its value at £1,500, and the cost of the bell, school house, and parson’s house were £60, £75, and £250. The remaining damages were comprised of items within the church such as “one large Bible” or pewter and silver cups.

spaces formerly occupied by these Essex churches in April 1783 served as powerful reminders of what British soldiers and Loyalists had taken from them during the war.

Presbyterian congregations were not the only ones facing economic problems at the war's conclusion as hundreds of Essex citizens were still struggling to recover from the damage inflicted by British and Loyalist plunderers years earlier. According to petitions filed by nearly four hundred Essex residents, British soldiers stole or destroyed at least £41,700 worth of property from the region between 1776 and 1780, but the total cost of the war for Essex County was likely much higher.<sup>84</sup> Some residents lost personal estates that were worth a small fortune. Corbit Scudder of Westfield lost more wealth than any other Essex resident during the Revolution as British forces stole property valued at £1,062 from his home and farm in 1777.<sup>85</sup> Other wealthy Essex residents also struggled to reclaim their previous economic standings. When British soldiers invaded Newark in November 1776, they stole or destroyed £513 worth of goods from Dr. William Barnett's estate including £100 of medicine and books that he needed to continue his practice.<sup>86</sup> Similarly, during the British occupation of Essex in December

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<sup>84</sup> Ibid. Acquackanonk, Elizabethtown, Newark, Connecticut Farms, Springfield, Westfield, and Rahway Townships. A total of 395 Essex residents created itemized lists of property lost to enemy soldiers for county commissioners. The petitions list only damages suffered during major British assaults on Essex such as the November 1776 invasion, Clinton's lengthy foraging campaign in August 1777, the January 25, 1780 raids on Newark and Elizabethtown, and Knyphausen's June 1780 invasion. None of the dates listed by petitioners correspond with the dates of smaller raids conducted by British soldiers or the activities of Loyalist bands like those led by Cornelius Hatfield. It is unclear whether the petitioners or commissioners simply included the damages suffered during smaller raids with their inventories of damages suffered during major British operations or if they were left off the inventories altogether. Additionally, the damage reports reflect only the monetary value of the items stolen or destroyed by British soldiers and do not include lost revenue from the theft of tools, draught animals, barns, or shops.

<sup>85</sup> Ibid., Westfield Township, No. 28, Corbit Scudder. His inventory is similar to most other wealthy men except for one unusual item. In addition to the loss of oxen, horses, sheep, clothing, and furniture, Scudder claimed to have \$2,000 in Continental currency stolen in June 1777. This was a considerable sum at the time as inflation had not yet reduced the value of the paper currency by that point. County commissioners verified his claim with "six people of good credit" before including it on Scudder's inventory and estimating its 1789 value to be £750.

<sup>86</sup> Ibid. Newark Township, No. 4, Dr. William Barnett.

1776 soldiers stole personal effects totaling £504 from Christopher van Norstromm including four “negro men and negro women” valued at £190.<sup>87</sup> The loss of these assets significantly reduced their ability to generate wealth and retain their pre-war standards of living.

Long-term economic problems, however, were not limited to wealthy residents who lost valuable assets or those facing the monumental task of replacing houses, barns, and shops that were burned to the ground. The destruction of Connecticut Farms and Springfield accounted for only one-third of all property damages filed by Essex residents after the war, and even though most residents claimed to have lost less than £57 worth of goods to the British, poor families still felt the effects of these losses in 1783.<sup>88</sup> The theft of draught animals or tools by enemy forces could devastate farmers or artisans who depended on them for income. These assets were as valuable to them as Van Norstromm’s slave force was to him, and they would not be able to live as they had been accustomed to until they found a way to replace those resources. Although poorer residents lost fewer and less valuable assets to the British soldiers, the economic problems these losses produced were no less severe.

The most prominent indicator of the high price the people of Essex paid for their independence was the absence of many residents from local victory celebrations. The American Revolution claimed the lives of dozens of residents, and the joy their family or friends felt in April 1783 would not erase the emotional suffering the war had brought on

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<sup>87</sup> Ibid. Elizabethtown Township, No. 49, Christopher van Norstromm.

<sup>88</sup> Ibid. Acquackanonk, Elizabethtown, Newark, Connecticut Farms, Springfield, Westfield, and Rahway Townships. This calculation reflects only the damages suffered by individual residents and does not include the damage to public buildings like the meeting houses. According to the property damage claims, the average claim filed by an Essex resident was £106, but this figure is less reliable than the median damage claim of £56.1 since some residents suffered damages worth only a few pounds while others lost as much as £1,000.

them. Hundreds of men served in the militia and Continental Army, and although only fifteen soldiers died in combat their deaths nonetheless had a profound effect upon everyone who knew them.<sup>89</sup> The people of Essex first dealt with the pain of a local soldier's death in January 1777 when they received news that Daniel Neil of Acquackanonk lost his life while serving as an artillery officer at the Battle of Princeton.<sup>90</sup> In June 1780, residents from all Essex settlements grappled not only with the shocking news of Hannah Caldwell's murder but also the death of five local men who died battling Knyphausen's forces. The Essex population continued to receive news of local soldiers' deaths as late as February 1783. Lieutenant Colonel Francis Barber had served as an officer of the Continental Army since 1776 and survived wounds received in two separate battles, but he lost his life in a tragic tree-felling accident in New Windsor, New York only weeks before the Treaty of Paris reached Philadelphia.<sup>91</sup> These deceased soldiers had numerous family members and friends throughout Essex who mourned their deaths. When British soldiers killed Samuel Crane during a 1777 skirmish outside of Newark, the pious young Jemima Condict diverged from her usual habit of recording religious thoughts in her diary to make note of the battle and his death.<sup>92</sup> Condict's diary makes little mention of the political and military events of the Revolution, but even in a

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<sup>89</sup> (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton. The fifteen known Essex residents listed as dying in battle or in service to the Continental Army were: Francis Barber, Moses Ogden, Samuel Crane, Moses Smith, Harmanus Brown, Daniel Neil, Isaiah Whitehead, Jonathan Clibsy, Jacob Beach, Richard Woodruff, Josiah Beach, Stephen Ward, Nicholas Parsel, William Marsh Jr., and Joseph Pike.

<sup>90</sup> "Neil, Daniel," Ibid.

<sup>91</sup> Thayer, *As We Were*, 150-151 and "Barber, Francis," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

<sup>92</sup> Jemima Condict Harrison, *Jemima Condict: Her Book, Being a Transcript of the Diary of an Essex County Maid During the Revolutionary War* (The Carteret Book Club, Newark, 1930), 66-67. Condict's diary is filled with her thoughts on scripture and news concerning illnesses and deaths within the community. She makes very little reference to major or local events of the Revolution but she recorded on September 12, 1777 that the British "marched Quietly up to Newark; and took all the Cattle they Could. There was five the Militia at Newark. They killed Samuel Crane & took Zadock and Allen heady [Hedden] & Samuel Freeman prisoners."

large settlement like Newark the murder of a local militiaman was extraordinary news that brought long-lasting pain to the community.

The British war effort not only claimed the lives of Essex soldiers but also numerous local officials and ordinary citizens who were captured by British soldiers or Loyalists and imprisoned in the overcrowded and deadly Sugar House prison. America's Commissary General for prisoners, Elias Boudinot of Elizabethtown, visited Sugar House in 1778 and later described its inhabitants as "wretched beyond description."<sup>93</sup> He reported that many prisoners had no clothing, shoes, or blankets because they were either stolen by their captors or traded in exchange for necessities such as water or rum. Inmates informed Boudinot that those who complained about the conditions were imprisoned in the dungeon for as long as fourteen weeks where they received very little food and were "unmercifully" beaten.<sup>94</sup> These horrific conditions led to the deaths of several prisoners from Essex County. British troops brought Newark's Commissioner of Loyalist Estates, Joseph Hedden Jr., to Sugar House in January 1780. Hedden arrived exhausted, ill, and frostbitten after his captors forced him to march to New York without proper clothing, and Hedden's health further deteriorated within the prison leading to his death that September.<sup>95</sup> Even men who arrived in good health and without injury succumbed to the prison's deadly conditions such as James Lambert who perished within Sugar House several months after British cavalry abducted him from his Westfield

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<sup>93</sup> Edwin G. Burrows, *Forgotten Patriots: The Untold Story of American Prisoners During the Revolutionary War* (New York: Basic Books, 2008), 122-123.

<sup>94</sup> Burrows, *Forgotten Patriots*, 123. Prisoners in the dungeon subsisted on four pounds of spoiled biscuit and two pounds of raw pork per week.

<sup>95</sup> "Hedden, Joseph Jr.," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, NJSA, Trenton.

home.<sup>96</sup> Essex residents were shocked by their enemies' willingness to kidnap non-combatants, and the barbarous treatment they received while in British custody fueled Essex County's hostility towards the British after the war.

No Essex family suffered greater emotional losses as a result of the war for independence than the Caldwell family. Knyphausen's invasion claimed the life of Hannah Caldwell in June 1780, and tragedy struck her nine children yet again in November 1781 when a Continental soldier killed their father in a bizarre incident at Elizabethtown Point. The Rev. James Caldwell was at the docks to escort a Loyalist woman traveling under a flag of truce into Elizabethtown, but Private James Morgan shot the popular minister at close distance, in broad daylight, and without provocation as Caldwell returned one of her packages from his riding chair to her sloop. Caldwell was one of the most recognizable and respected figures within Essex; he was the spiritual leader of many Essex residents, and Continental soldiers knew Caldwell through his work as a chaplain or deputy quartermaster general. The rashness of Morgan's actions led many to believe that he had been bribed by the British to murder Caldwell in retaliation to the "fighting parson's" service to the Revolution. Articles within *The New Jersey Journal* furthered this allegation; one witness testified during Morgan's murder trial in

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<sup>96</sup> "Lambert, James," "Lambert, James Jr.," "Hedden, Allen," and "Camp, William," (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, James Lambert. Lambert was abducted in the winter of 1778 and died the same year. The soldiers also abducted his son James Lambert Jr. but quickly released him. Lambert Jr., however, was later captured by the British again while serving on a whale boat off the coast of Staten Island, but he survived his imprisonment at the North Church. Several militiamen also died within Sugar House despite the fact they arrived in significantly better health than Hedden. William Camp was captured along with twenty militiamen under his command after an engagement with the British outside of Springfield in December 1776 but died in 1777. Allen Hedden was captured outside of Newark after the skirmish that claimed Samuel Crane's life in September 1777 and also died in Sugar House that year.

January 1782 that Morgan had once claimed he would “pop Caldwell over.”<sup>97</sup> Morgan was convicted of murder and hanged on January 29, 1782, but no one could produce solid evidence of British involvement.<sup>98</sup>

Newspapers throughout New Jersey and other states mourned Caldwell’s death and celebrated his dedication to both his church and his nation, but neither their praise nor the swift execution of Caldwell’s murderer could bring peace to his children or restore their family. The Revolution had left them orphans. On November 28, 1781 Caldwell’s four sons and five daughters joined the enormous crowd of Essex residents, many of whom had closed their businesses for the day, at their father’s funeral in Elizabethtown. The children gathered around their fathers’ body to say one final goodbye while Elias Boudinot delivered his poignant eulogy, and this sad occasion was one of the last times all nine Caldwell children would be together.<sup>99</sup> They had no relatives within the region with whom they could live, and at the time of his death Caldwell’s financial estate was in complete disarray. One Elizabethtown author grieved that Caldwell had “enriched many less deserving than himself, yet he left little more than will pay his debts” for his children who had no one to look “to for assistance in this day of adversity.”<sup>100</sup> Essex residents donated money for their relief, but it was not enough. Since no single family could assume the responsibility of caring for nine children

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<sup>97</sup> William H. Shaw, *History of Essex and Hudson Counties, New Jersey, Volume 1* (Everts & Peck, Philadelphia, 1884), 43.

<sup>98</sup> Hatfield, *History of Elizabeth*, 531-532. Rumors concerning the alleged role of British soldiers in Caldwell’s murder were spread by the *New Jersey Journal* according to Hatfield as well as Nicholas Murray in his *Nicholas Murray’s Notes, Historical and Biographical, Concerning Elizabethtown, its Eminent Men, Churches, and Ministers*, but Hatfield dismisses it as “doubtful rumor” that was “not with the established facts of history.”

<sup>99</sup> William Buell Sprague, *Annals of the American Pulpit: on Commemorative Notices of Distinguished American Clergyman of Various Denominations from the Early Settlement of the Country to the Close of Eighteen Hundred and Fifty-Five* (New York: Robert Carter & Brothers, 1858), 226.

<sup>100</sup> Unnamed Newspaper, *ASNJ*, Vol 5, *Newspaper Extracts Relating to New Jersey*, October 1780 – July 1782, Austin Scot ed. (Trenton: State Gazette Publishing Co., 1917), 344.

between the ages of two and seventeen, Elias Boudinot assumed the difficult task of finding the children new homes. By 1783, the Caldwell children had been adopted by nine different families who lived in different parts of New Jersey and the world. Boudinot personally adopted the youngest Caldwell son, and because of his respect for their father, the Marquis de Lafayette adopted the eldest son and brought him to France in 1782.<sup>101</sup> The Caldwell children were well cared for after the father's death and went on to accomplish great things as adults, but the Revolution took everything they had from them, including their relationships with each other.

The economic and emotional devastation inflicted upon Essex residents fueled their wartime hatred of the British army and its Loyalist allies, and as the war for independence neared its conclusion they joined thousands of their countrymen in demanding that Loyalists depart with their British allies and never return. Editorials published in New Jersey's newspapers and the correspondence of Essex residents reflected their authors' vehement hatred of Loyalists that they believed was justified and would last forever. The *New Jersey Journal* published an article by an anonymous author nine months before Americans learned of the war's conclusion claiming "the many acts of cruelty committed by the tories . . . upon our innocent friend in this country, are too shocking for the powers of description . . . Americans resent the insult! Call up the spirit of Hamilcar, lead your sons to the altar, and make them swear eternal enmity to tories and the British nation!"<sup>102</sup> "A Steady Whig" professed similar sentiments in a strongly worded warning to the Loyalists in New York City in April 1783. He informed the refugees that "we view you as our worst enemies," and he blamed the start of the war on

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<sup>101</sup> Hatfield, *History of Elizabeth*, 534-535.

<sup>102</sup> *New Jersey Gazette*, June 19, 1782

their refusal to stand “unanimously” with Whigs as they had in the 1760s.<sup>103</sup> The author blamed Loyalists for the increasingly destructive nature of the war and warned “if you wish yourselves to live, and your friends who are here to enjoy tranquility in the country, *be gone* . . . Entertain not the most distant thought of staying among us. Hesitate not a moment.”<sup>104</sup> William Peartree Smith of Elizabethtown was even more direct in his condemnation of Loyalists. Smith lost nearly £900 worth of property during the war, and he labeled Loyalists as “wretched” individuals who “ought to be damned both in this world and ye world to come.”<sup>105</sup>

Essex residents’ deep animosity towards Loyalists greatly influenced their response to the Treaty of Paris when they learned of its provisions in April 1783. They welcomed the peace it would bring to their communities, but they believed that the treaty’s two articles concerning Loyalists marred its many favorable provisions outlining the terms of American independence. The fifth article of the Treaty of Paris required Congress to “earnestly recommend” that the state governments restore the property of “real British subjects” in America and those Loyalists currently residing in areas under British control who did not take up arms during the conflict. Furthermore, this article required Congress to recommend that states give Loyalists twelve months to reclaim the personal and real property that had been sold at auction as long as they paid its new

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<sup>103</sup> *New Jersey Gazette*, April 16, 1783. An article by another anonymous author professed similar sentiments in the April 9, 1783 edition of the *New Jersey Gazette*. Its author claimed those who “in any many distinguished themselves in favour of the cause of Britain, not to return or remain among the citizens of America: They may rely upon it that nothing can save them from retaliation for the many cruelties wantonly exercised in the course of the war upon our citizens such as murders, burnings, plunderings, and starvings on board of loathsome ships and in horrid dungeons.”

<sup>104</sup> *Ibid.*

<sup>105</sup> “Letter from William Peartree Smith to Elias Boudinot on the Suspension of Hostilities (1783),” *Proceedings of the New Jersey Historical Society* Volume 1, No. 4, (1849): 123.

owners a “bona fide” price.<sup>106</sup> The sixth article of the treaty was more strongly worded as it expressly prohibited Americans from pursuing any action that would bring new personal, political, or economic damage to Loyalists. These articles were unpopular with many Americans as they not only forbade future persecution of the despised Loyalists but also raised the possibility that Loyalists might reclaim their lost property and resume their lives within their former communities.

British and American ministers at Paris spent months divided over the contentious issue of Loyalists’ right to their seized property, and their agreement on the fifth article was the final step in completing a preliminary peace treaty in November 1782. This article required Congress only to recommend that state governments grant Loyalists the opportunity to reclaim their property, but prominent members of both the British and American governments believed this weakly worded article reflected a legal obligation for the states. The British minister at Paris, Richard Oswald, joined other members of Parliament in believing that a recommendation from Congress was comparable to a message from the King to Parliament that would only be rejected by “a very few, who are particularly obnoxious.”<sup>107</sup> Similarly, one of America’s ministers in Paris, John Jay, wanted the state governments to enforce the recommendation to which he had agreed. Jay did not want the states to “involve all Tories in banishment and ruin” but rather to distinguish between active Loyalists who fought for the King and those “disinterested men” who merely sought refuge with the British.<sup>108</sup>

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<sup>106</sup> Mary Beth Norton, *The British-Americans: The Loyalist Exiles in England 1774-1789*, (Boston: Little, Brown, and Company, 1972), 178.

<sup>107</sup> *Ibid.*, 182.

<sup>108</sup> *Ibid.*, 180.

America's most famous supporter of the treaty's articles concerning Loyalists was George Washington's former aide de camp, Alexander Hamilton. His home state of New York implemented some of the harshest laws against Loyalists throughout the war, but Hamilton believed New York needed to embrace Loyalists as equal citizens protected under the state's constitution. He vigorously denounced those who sought further persecution of Loyalists after the war and believed such activities would encourage the British to ignore their treaty obligations to evacuate all military posts in America or return confiscated slaves.<sup>109</sup> Hamilton believed additional assaults on Loyalists' rights would not only damage America's international prestige but also the Revolutionary virtue of its citizens. In his January 1784 pamphlet, *A Letter from Phocion*, Hamilton ridiculed post-war campaigns against Loyalists. He labeled them the work of radicals who valued "revenge, cruelty, persecution, and perfidy" rather than the Revolution's "spirit of Whigism" that promoted "generous, humane, beneficent, and just" behavior by citizens.<sup>110</sup> Lastly, Hamilton endorsed the recommendations of the treaty's fifth article as beneficial to America's economy. He believed the nation needed Loyalists and the large amounts of capital and credit to which they had access, and he mocked those arguing that Loyalists' return would suppress wages or decrease economic competition within America. In his mind, the absence of Loyalists from the republic would actually stifle economic growth by "driving away the principal part of those who have the means of becoming large undertakers. The carpenters and masons, in particular, must be content with patching up the houses already built, and building little huts upon vacant lots,

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<sup>109</sup> Alexander Hamilton to George Clinton, June 1, 1783, *The Papers of Alexander Hamilton, Volume III: 1782-1786*, Editor Harold C. Syrett (New York: Columbia University Press, 1962), 367-369.

<sup>110</sup> John C. Hamilton, ed., *The Works of Alexander Hamilton: Comprising His Correspondence, His Political and Official Writings, Exclusive of the Federalist, Civil and Military*, Volume 2 (New York: John F. Trow, Printer, 1850), 288.

instead of heaving profitable and durable employment in erecting large and elegant edifices.”<sup>111</sup> According to Alexander Hamilton, the Revolution could not succeed ideologically and economically until Americans embraced reformed Loyalists as their fellow citizens.

The people of Essex, however, did not want to hear about Loyalists’ alleged rights as citizens or the economic necessity of their return. Only days after learning of the treaty’s content, Essex residents circulated a petition that denounced the treaty’s fifth and sixth articles, and the eighty-eight signatures on this petition made it one of the most popular petitions submitted by Essex to the legislature since the start of the war. Its signers rejected “all and every such recommendation” within the treaty’s fifth article and did “humbly pray that the said recommendations may not be complied with by this State.” Citing the extreme devastation Loyalists brought to Essex communities, its signers did not “see the propriety or policy of recompensing those who have been instrumental in lengthening out and in multiplying the horrors of the late War.” They wished to never see the departed Loyalists again and professed “that a return (even a temporary return) into this State of persons of this description, where so many suffered by their pillaging and desolating hands, would involve this state in Feuds and Contentions” that “cannot terminate but in bloodshed.”<sup>112</sup> The petitioners also condemned the sixth article forbidding the physical, economic, or political assaults on Loyalists. Essex residents were not prepared to end their wartime campaign against Loyalists’ rights and believed continued persecution was necessary to prevent the return

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<sup>111</sup> Ibid., 297-298.

<sup>112</sup> “Petition of Inhabitants of Essex County to the General Assembly, Concerning War Damages, May 5, 1783,” Department of Education, NJ State Library, Bureau of Archives and History, Manuscripts Collection, 1680-1970, Legislative Records, 1782-1787, Box 1-15, Folder 36 at NJSA, Trenton.

of Loyalists. They had paid a high price to achieve independence and concluded “these people have made their election – your petitioners conceive they ought not to participate with us, the enjoyment of that Freedom and Independence which they have endeavoured to destroy.”<sup>113</sup>

Essex Loyalists interested in taking advantage of the treaty’s provisions such as Cavalier Jouett quickly learned that their former neighbors had no intention of allowing them to reclaim their seized property or return unmolested to the state. Jouett sought refuge in New York City after the British army evacuated New Jersey in 1777, but he spent several years of the conflict living as a paroled prisoner of war in the village of Woodbridge near Essex County’s southern border. Upon learning of the treaty’s provisions Jouett planned to move his wife and children to Woodbridge “for the purpose of a more easy maintenance of them . . . and finally recovering their property.” He personally traveled to the village in April 1783 to “speculate on the spirit and temper of the times there.”<sup>114</sup> Jouett claimed that he “received much civility” from Woodbridge residents during his parole, but upon his return that spring he “received the most outrageous insults, and narrowly escaped the most shameful and degrading abuse.” He was chased by angry residents brandishing “sticks and whips,” and Jouett was informed by men who had previously treated him courteously that “the Peace had dissolved all paroles, and I had no right or title to come there . . . I had proved a traitor to my country and had joined the enemy, and they were determine that no d----d rascal should ever

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<sup>113</sup> Ibid. In addition to challenging the treaty’s recommendations and provisions concerning Loyalists’ rights within the American republic, the Essex petitioners also condemned British officers for failing to return their “Negroes, and other property.” They demanded that America refuse to follow Article IV concerning the payment of Americans’ debt to British merchants until their property was returned. The residents of Hunterdon and Monmouth Counties also filed petitions challenging the treaty’s provisions concerning Loyalists and professing their desire to banish them from the state. See Gerlach, *New Jersey in the American Revolution*, 268-272.

<sup>114</sup> May 4, 1783 autograph-letter by Cavalier Jouett in Jones, *The Loyalists of New Jersey*, 111.

enjoy the benefits of the country again.”<sup>115</sup> Jouett claimed that several respected Revolutionary officials not only joined the mob but incited it to further violence. General Nathaniel Heard allegedly asked the angry populace what they should do with the “d----d rascal” to which one justice of the peace answered, “Hang him up! Hang him up!” Only the timely intervention of a local clergyman and another resident who had been treated kindly by one of Jouett’s sons while he was a prisoner of war allowed the Elizabethtown Loyalist to escape from the mob.<sup>116</sup> The people of Woodbridge were well aware of the treaty’s recommendations and provisions concerning returning Loyalists, but they had no problem ignoring these diplomatic agreements in their quest to permanently ban Jouett from their community.

The residents of Woodbridge displayed even greater violence towards two Loyalists who moved into their community in the summer of 1784. New Brunswick and Piscataway residents who shared Alexander Hamilton’s views on the economic benefits Loyalists offered the republic invited reformed Loyalists to settle in their community, and Thomas Crowell and Elias Barns responded to their call. According to one anonymous New York author, however, upon learning of the Loyalists’ arrival “a number of inhabitants formed a committee to represent the whole” and set out to the Barns residence “after receiving the necessary orders.” Barns and Crowell informed the townspeople of their desire to become “good citizens” but were informed that “the people of Woodbridge had unanimously agreed that all returning tories should be tarred and feathered previous to be allowing to settle.”<sup>117</sup> According to the author, “the gentleman made a stout

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<sup>115</sup> Ibid., 112.

<sup>116</sup> Ibid.

<sup>117</sup> “From a New York Paper of the 10<sup>th</sup> Ult,” *The Political Intelligencer and New-Jersey Advertiser*, July 13, 1784.

resistance—talked much about the sixth section of the definitive treaty—of the recommendation of Congress” but they could neither sway nor escape the mob. After forcibly stripping Crowell and Barns, their attackers fulfilled their pledge and covered their naked bodies in hot tar and feathers. After administering what they regarded as justice against these Loyalists, the Woodbridge mob let Crowell and Barns go “to think on what is past, and scrub at leisure.”<sup>118</sup>

The physical assault on returning Loyalists in Woodbridge reflected the Essex population’s deep hostility towards Loyalists in 1783 and 1784, but such incidents were uncommon as few Loyalists attempted to reclaim their property or take up residence in the region so soon after the war. The people of Essex, however, embraced other means to demonstrate their hatred of Loyalists and their disregard for the recommendations and obligations expressed in the peace treaty. In December 1783, the New Jersey legislature passed a law reinstating the sale of seized Loyalist property to the public.<sup>119</sup> Loyalist estate sales had been incredibly popular within Essex during the war, but the rampant inflation and increasing poverty within the state prompted the government to suspend these auctions in June 1781.<sup>120</sup> Large quantities of Loyalists’ personal effects, houses, and land remained unsold by this deadline, and both state officials and Essex residents cared little that the resumption of sales was in direct violation of the sixth article of the Treaty of Paris. These sales would be marred by ongoing allegations of fraud throughout the state that led to several temporary suspensions throughout the 1780s, but they

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<sup>118</sup> Ibid.

<sup>119</sup> Ruth M. Keeseey, “New Jersey Legislation Concerning Loyalists,” *Proceedings of the New Jersey Historical Society*, 79 (1961), 90.

<sup>120</sup> McCormick, *Experiment in Independence*, 32. Out of New Jersey’s thirteen counties, Essex ranked third in terms of revenue raised from Loyalist estate sales with £122,499. Only Middlesex and Hunterdon Counties raising more with £451,929 and £210,482 respectively. McCormick notes that these figures “are probably not wholly accurate, but they furnish the only source available.”

nonetheless demonstrated to the public's continued enmity towards Loyalists. Essex residents did not share Hamilton's belief in reconciliation, and they wanted to see all Loyalist property in the hands of those who supported independence.

Loyalist estate sales resumed in Essex several months after the passage of the new law, and Essex residents eagerly attended the new round auctions even though they had already purchased over £122,000 of Loyalist property between 1779 and 1781.<sup>121</sup> In April 1784, the New Jersey government was still in possession of personal and real property seized from one hundred and sixteen Essex Loyalists, and renewed estate auctions gave angry residents the chance to display their contempt for these Loyalists and the treaty that protected them.<sup>122</sup> In November 1786 Samuel Hayes advertised the upcoming sale of one of Cavalier Jouett's houses in Elizabethtown as well as the sale of twenty-eight acres of land owned by Jouett near the Chatham Bridge.<sup>123</sup> Jouett was still one of the most reviled Loyalists from Essex County. His reputation was so tarnished by the war that not only did a Woodbridge mob chase him from their town but the congregants of St. John's Church removed the baptismal font he had previously donated. They abandoned his gift at the Norris Stoneyard where it remained neglected for over forty years before parishioners finally reclaimed, cleaned, and re-installed it in their church.<sup>124</sup> The purchasers of Jouett's house and land near Chatham were clearly interested in acquiring his valuable assets, but they likely also regarded these purchases

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<sup>121</sup> Ibid.

<sup>122</sup> *The New Jersey Gazette*, May 10, 1784. Samuel Hayes, "Agent for the County of Essex," notifies the public in this advertisement that all those who owed debts these one hundred and sixteen Loyalist estates needed to settle them quickly. Hayes also informs those who were owed debts from those estates needed to provide documentation before they could collect.

<sup>123</sup> *The New Jersey Journal*, November 15, 1786

<sup>124</sup> Jones, *The Loyalists of New Jersey*, 110.

as a means of retribution against the detested Loyalist whom they never wished to see again.

The continuation of estate sales after the war gave Essex residents the chance to retaliate against other reviled Loyalists. In November 1786 Samuel Hayes advertised the upcoming auction of a stone house in Newark formerly owned by James Gray. According to Hayes the house had three fireplaces, twenty acres of land including a “large orchard with a variety of choice fruit,” and a dock on the Passaic River “where a vessel of 100 tons might lade and proceed to sea.”<sup>125</sup> It was “an eligible situation for a gentleman’s seat or for a merchant,” but it also presented wealthy residents the opportunity to personally hurt a local Loyalist while acquiring valuable real estate. Gray was a Scottish émigré who purchased 300 acres within Essex in 1765 after serving nearly twenty years as an officer in the king’s army. He moved to the Albany area before the start of the conflict, but local residents knew that this wealthy landowner had rejected several offers to command regiments of the Continental Army and instead served as an officer of the King’s Royal Regiment of New York.

The post-war estate sales also gave the people of Essex the chance to persecute William and Hannah Wright of Chatham. Unlike most Essex Loyalists, the Wrights did not flee their home in January 1777 when the British army retreated to Perth Amboy, and both Wrights engaged in malicious wartime conduct that infuriated their neighbors throughout the spring of 1777. According to the testimony of Joanna Wood, William Wright had secretly compiled reports on the “conduct of Mr. Poole and some other of his neighbors” which he planned to give to British officers to help them distinguish friend

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<sup>125</sup> *The New Jersey Gazette*, May 10, 1784.

from foe upon their return.<sup>126</sup> Hannah Wright's behavior was even more outrageous than her husband's because she publicly professed her support for the British war effort as well as her disdain for the Revolution's leadership. Hannah Wright encouraged her neighbors such as Margaret McLean to steal flour, blankets, and other wartime necessities from the Continental soldiers stationed in the region, and she boldly professed, "I wish the Devil had General Washington and his Men."<sup>127</sup> Wright made similar seditious statements to Joanna Wood. She informed Wood in 1777, "I am a Loyal Subject of King George. We Tories have now got the Day and the Whigs will Soon be obliged to humble themselves to us and I wish that every officer in the American Army from a general to a Corporal May be Hanged . . . I wish that General Washington had a thousand bayonets through his heart."<sup>128</sup> The Wrights' odious behavior would not be easily forgotten by the war's conclusion, and Essex residents would enjoy depriving them of their former property in the region.

The physical violence and renewed economic campaign against Loyalists within Essex County convinced even the most optimist Essex Loyalists that there was little hope for reconciliation with their former neighbors immediately after the war. Those residing with the British army in New York City needed to find new homes for their families, and many Loyalists took advantage of the money and land offered by the British government. Parliament passed a Compensation Act in July 1783 promising redress to Loyalists who suffered economic losses because of their allegiance to the king, and the thirty-one Essex Loyalists who complied with its provisions received approximately £32,000 in

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<sup>126</sup> New Jersey Supreme Court Case Files, NJSA, Trenton, Case File #39597.

<sup>127</sup> *Ibid.*

<sup>128</sup> *Ibid.*

compensation.<sup>129</sup> Additionally, many Essex Loyalists accepted land grants in the British colony of Nova Scotia beginning in the summer of 1783. Nova Scotia was a sparsely settled territory with only 20,000 inhabitants making it the best possible destination for the 30,000 Loyalists living with the British forces in New York City.<sup>130</sup> Parliament offered all Loyalists who were the heads of their household one hundred acres within the colony, and they could receive an additional fifty acres for every other family member within their household.<sup>131</sup> Loyalists who had offered military service during the war could receive even larger land grants.<sup>132</sup> Thomas Ward of Newark, for example, abandoned the American army in 1777 and later served as both a British spy and as the captain of a Loyalist regiment. He served with great distinction and without pay for several years, and Ward received five hundred acres in Nova Scotia based upon the strong recommendations of General Henry Clinton and other prominent Loyalists even though his only dependents were his wife and child.<sup>133</sup>

The land grants available to Loyalists in Nova Scotia were significantly larger than the average sized farm available in their more densely settled New Jersey

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<sup>129</sup> Jones, *The Loyalists of New Jersey* and Wallace Brown, *The King's Friends: The Composition and Motives of the American Loyalists Claimants* (Providence: Brown University Press, 1965), 314-316. Essex residents requested over £80,000 in compensation, but the Parliamentary commission charged with assisting Loyalists scrutinized all petitions. Its members focused on verifying the validity of every item listed in Loyalist petitions as well as its value. They rejected claims for items they considered "normal" wartime damages, property acquired during the war in territory under American control, claims for lost rents and income, and all claims for uncultivated land or depreciated currency. For information on the evolution of the Compensation Act and its implementation see Norton, *The British Americans*, 185-222 and Maya Jasanoff, *Liberty's Exiles: American Loyalists in the Revolutionary World* (New York: Alfred A. Knopf, 2011).

<sup>130</sup> Christopher Moore, *The Loyalists: Revolution, Exile, and Settlement* (Toronto: McClelland & Stewart, 1994), 158-162. Before Parliament could give this land to Loyalist refugees it needed to revoke numerous land grants offered in 1765 following Britain's victory over France in the Seven Years War. Although the colony was sparsely settled, the British government had sold nearly all the good land in Nova Scotia (which included modern day New Brunswick) to speculators incorrectly who predicted a rush of settlers to the colony. For example, Alexander McNutt of Virginia acquired 2.5 million acres in the 1760s, and in one seventeen-day period of 1765 the government sold over 3 million acres to private owners.

<sup>131</sup> *Ibid.*, 163.

<sup>132</sup> *Ibid.*, 188-190.

<sup>133</sup> Jones, *The Loyalists of New Jersey*, 240.

communities. The British government offered poor Loyalists an opportunity for significant long-term economic improvement. Essex Loyalists who migrated to Nova Scotia, however, needed to first endure severe hardships in their new colony. Elizabethtown and Newark were the oldest British settlements within New Jersey, and Essex Loyalists were therefore accustomed to living in developed communities with established roads, cleared fields, and diverse economic opportunities. Nova Scotia, by comparison, resembled an untouched wilderness that required arduous labor and would not bear fruit for many years. Loyalists' houses within Essex were replaced with the less comfortable accommodations found aboard transport ships docked on the Nova Scotia coast or within canvas tents or makeshift huts. The refugees depended on the British government to provide them with food rations throughout 1783, and since they lost all their tools to estate seizures they were also dependent on the British government to give them the resources necessary to build permanent shelters and cultivate their new land.<sup>134</sup> Many Loyalists could not easily adjust to this new lifestyle of dependency, and one woman who claimed to have never cried throughout the war fell to her knees and wept as she watched the British fleet sail away from Nova Scotia.<sup>135</sup>

At least thirteen Essex Loyalists took advantage of Parliament's generous land offers, but these refugees faced additional challenges besides their need to acclimate themselves to Nova Scotia's arduous frontier conditions.<sup>136</sup> Many formerly wealthy Loyalists and educated men lost not only the social affluence and physical comfort they

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<sup>134</sup> Moore, *The Loyalists*, 163-164.

<sup>135</sup> *Ibid.*, 182-183.

<sup>136</sup> Edward W. Scudder, *Trinity Church, Newark, NJ: A Brief Account of Its Origin and History* (s.n., 1931), 14 and Jones, *The Loyalists of New Jersey*. Known Essex Loyalists who settled in Nova Scotia or New Brunswick were Reverend Isaac Brown, John Clawson, Robert Fitzrandolph, James Nactier, John Ogden, Nicholas Ogden, Nathaniel Richards, Samuel Smith, William Styiles, Jacob Tooker, Thomas Ward, John Willis, John Wheeler, and John Smith Hatfield. Thomas Bradbury Chandler was a contender for the position of Anglican bishop of Nova Scotia but did not receive the post.

once enjoyed but also their prestigious careers. Nova Scotia was in great need of farmers or carpenters such as Nathaniel Richards and Jacob Tooker of Elizabethtown as their skills were essential in creating new sustainable communities.<sup>137</sup> Lawyers and public officials who relocated to Nova Scotia, however, quickly realized that their skills were in low demand. Nova Scotia's royal governor, John Parr, had a hostile relationship with the refugees and did not want Loyalists serving in his government. He believed they were "impossible to satisfy" and wanted all government posts to be filled with "a good and proper Man . . . an *Englishman*."<sup>138</sup> Educated men who worked as doctors or merchants before the Revolution also faced economic difficulties in their new homes; their services were in high demand, but most refugees had little money to pay them for their work. As a result, many skilled professionals were forced to embrace agriculture as a primary or supplemental source of income with most despising this change and struggling to succeed.<sup>139</sup> John Nactier, for example, had worked as an Elizabethtown merchant prior to the Revolution, and after eight years in Nova Scotia he was still unable to provide for his wife and five children. He left his family in "the most melancholy and pungent distress" in 1791 to seek additional relief in Great Britain. Although Parliament gave Nactier enough money to relocate to Cape Breton, most Loyalist refugees could depend only on

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<sup>137</sup> Department of Defense, Adjutant General, Commissioner of Forfeited Estates, Box 5, Folder 104, "Jacob Tooker," New Jersey State Archives, Trenton. The inquisition against Tooker states that he served a carpenter to the British army. Richardson is listed as a carpenter in Jones, *The Loyalists of New Jersey*, 177.

<sup>138</sup> Norton, *The British-Americans*, 237-241. The British government divided the colony into Nova Scotia and New Brunswick in June 1784, and the creation of the new government to the west resolved many of the problems between Parr and the refugees. Loyalists were appointed to nearly all positions within the New Brunswick government.

<sup>139</sup> Moore, *The Loyalists*, 198-199.

themselves once Parliament stopped issuing them food and tools. They had to create new homes on their own.<sup>140</sup>

Essex residents were well aware of the difficulties displaced Loyalists faced in Nova Scotia, but they and the rest of the New Jersey population extended little sympathy to their former friends and neighbors. In October 1784, Americans and Loyalist refugees were embroiled in a trade dispute that led British officials to call for the immediate stop of any “rebel Vessel” arriving at any port in Nova Scotia. One New Jersey author responded to this news by belittling Loyalist refugees for their immorality and viciousness just as Whigs had done throughout the war. He proclaimed “if refraining the brutal and more than savage hands of Britons and Tories from the accomplishment of tyranny and murder entitles us to the appellations of Rebels, we glory in the epithet.” Four years after the British ceased major military operations in New Jersey this author reminded Loyalists that Americans “receive[d] the applause of admiring nations” while Loyalists lived in a “dreary” region with “the anguish of guilt as . . . your constant companion.”<sup>141</sup> Other New Jersey citizens actively encouraged their countrymen to rejoice in Loyalists’ despair. In August 1784 an anonymous New Jersey author likened displaced Loyalists to “the ill-fated Israelites” and claimed they were “doomed, by the enormity of their crimes, to roam every part of the globe, and explore uncultivated regions.” Rather than consider Hamilton’s arguments on the benefits of reconciliation with Loyalists, the author suggested that New Jersey “raise a monument, and have ingraved in indellable characters, the particulars of their infamy, that they and their demerits may be handed down, with curses, from generation to generation, as enemies of

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<sup>140</sup> Jones, *The Loyalists of New Jersey*, 152.

<sup>141</sup> *The Political Intelligencer and New-Jersey Advertiser*, November 9, 1784.

the United States.”<sup>142</sup> Nearly two years after the British and American ministers completed the preliminary Treaty of Paris, much of the New Jersey population retained their hatred for Loyalists who would have brought them “prostrate to the British Lion.”<sup>143</sup> Essex County suffered greatly throughout the war for independence, and its residents found Loyalists’ assault on their liberty, property, and physical safety to be unforgivable crimes that would forever prevent reconciliation.

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Between 1780 and 1783, the Essex population endured trials and tribulations that rivaled their previous wartime sufferings. They faced a destructive invasion by a sizable British army that burned two entire villages to the ground and reduced their inhabitants to homeless paupers. Dozens of kidnapped Essex residents suffered the inhumane conditions found in the notorious Sugar House prison, and their family and friends experienced significant distress as they waited months for any news concerning the well-being of their loved ones in British captivity. Numerous families mourned the loss of kin who died fighting for American independence, and still others struggled to accommodate soldiers who returned with life-altering wounds from battle. The closing years of the Revolution produced both literal and symbolic voids within Essex communities as prominent institutions like the First Presbyterian Church of Elizabethtown and prominent families like the Caldwells were no longer present when hostilities came to a close in 1783.

Rather than abandon the war effort in the face of such misfortune like the British military and Loyalists expected, the Essex population responded to these hardships with a

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<sup>142</sup> *The Political Intelligencer and New-Jersey Advertiser*, August 10, 1784.

<sup>143</sup> *Ibid.*

stronger commitment to American independence. Men throughout the county enthusiastically took up arms to repel the British army's June 1780 invasion. Local authors celebrated residents' ability to overcome adversity and feverishly highlighted the differences that distinguished their virtuous American society from the tyrannical, savage, and corrupt British society that was responsible for their suffering. The final years of conflict demonstrated Essex residents' complete transformation from subjects of the British Empire into citizens of an independent republic, and in the aftermath of the war they fervently refused to reconcile with their wartime enemies. The Essex population violated both the recommendations and explicit provisions of the Treaty of Paris to ensure that Loyalists could not return to the communities they had abandoned during the war. Inhabitants believed Loyalists would always be tainted by their commitment to the British government and the crimes they committed on behalf of that allegiance. The people of Essex valued the liberty they had secured through eight long years of conflict and regarded it as their most cherished possession, and they would not "behold their inveterate enemies to breathe the salubrious air of liberty."<sup>144</sup>

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<sup>144</sup> Ibid.

## Epilogue

The people of Essex County New Jersey turned out in large numbers to commemorate the twelfth anniversary of American independence on July 4, 1788. A twelve-cannon salute at sunrise began Newark's festivities, followed by the ringing of church bells throughout the town until eight in the morning when the town's infantry, cavalry, artillery, and grenadier companies paraded for review. Inhabitants lined the streets to watch these soldiers drill, and following these military exercises the militiamen and spectators gathered at the Presbyterian Church where the Rev. Alexander McWhorter "delivered an elegant oration to a very crowded audience."<sup>1</sup> The festivities, however, were just getting started.

After listening to McWhorter's sermon, Newark residents paraded on all major streets in procession measuring three-quarters of a mile in length. At one o'clock the crowd stopped at the church green to honor the ten states that had ratified the American constitution with a ten-cannon volley, and the soldiers conducted a "sham fight" on the green to the "great entertainment and satisfaction" of the numerous spectators.<sup>2</sup> The town's inhabitants concluded their celebration with an "elegant dinner" provided by Mr. John Reading that was accompanied by a series of toasts and more cannon fire.<sup>3</sup>

The residents of Elizabethtown held similar festivities to honor both American independence and the new constitution on July 4, 1788. A substantial number of Continental Army veterans were present for the celebration because the Society of the

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<sup>1</sup> "Newark, July 5, 1788," *New Jersey Journal and Political Intelligencer*, July 9, 1788.

<sup>2</sup> *Ibid.* Military companies and occupation divided the procession. A complete list of all companies and the several dozen professions that participated in the parade is listed provided in "ORDER of PROCESSION."

<sup>3</sup> *Ibid.* During the evening festivities "Mr. Higgins" honored the ratification of the constitution by displaying his painting of George Washington encircled by the ten states that had ratified the document while New York, Rhode Island, and North Carolina remained detached. Around the ten states was the motto, "We have agreed to the New Constitution, do you follow?"

Cincinnati had recently held their annual meeting in Elizabethtown, and the Society's leaders joined Governor William Livingston in reviewing the town's militia.<sup>4</sup> Residents celebrated the ratification of the constitution by constructing an "elegant bower with 13 arches," three of which were covered in blinds to represent those states that had not yet approved the document. The people of Elizabethtown and the Society of Cincinnati held separate dinners that evening, but both events honored those who made independence possible, including Congress, Governor Livingston, their French allies, and "the brave, who nobly fell in obtaining America's freedom."<sup>5</sup>

Despite vehement opposition to the return of Loyalists immediately following the war, several Essex County Loyalists had returned to their former communities before the July 4, 1788 festivities and likely participated in these events. Isaac Longworth and his wife fled Newark in 1777 and lived amongst British forces until the war's conclusion, but they returned to Newark by the summer of 1787.<sup>6</sup> James Ricketts fought alongside British forces in the West Indies during the Revolution, but he returned to Elizabethtown several years after the conflict and took over his father's farm.<sup>7</sup> Dr. Uzal Johnson abandoned the American war effort after Congress declared independence and offered his medical skills to those Loyalists fighting in the New Jersey Volunteers. He joined that unit during its campaign in South Carolina where he participated in the Battle of King's Mountain. On the eve of the Constitution's ratification, however, Johnson returned to Newark where he lived another twenty-nine years as a citizen of the republic.<sup>8</sup>

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<sup>4</sup> "Elizabeth-Town, July 9," *New Jersey Journal and Political Intelligencer*, July 9, 1788.

<sup>5</sup> Ibid.

<sup>6</sup> Jones, *The Loyalists of New Jersey*, 133-134.

<sup>7</sup> Thayer, *As We Were*, 157-158.

<sup>8</sup> Jones, *The Loyalists of New Jersey*, 106.

These Loyalists (and others) were able to return to Essex County because the hatred aimed at Loyalists at the war's conclusion had begun to wane by 1785. The people of Essex never forgot the economic and emotional damage the British army and Loyalists had inflicted on their communities, but after several years of peace they were willing to forgive those who had not played a direct role in those assaults. The presence of Loyalists within Essex no longer incited mobs like the one which confronted Cavalier Jouett in April 1783, and returning Loyalists traveled freely throughout their communities and conducted business like everyone else. Dr. Uzal Johnson resumed his medical practice following his return to Newark, and by 1789 this practice was so successful that Johnson was able to provide for his family and also purchase expensive items such as a new riding chair.<sup>9</sup> He maintained his successful medical practice in Newark until his death in 1827, by which time he had earned a favorable reputation with many of his neighbors. Some artisans even extended the former Loyalist generous credit; one Newark blacksmith allowed Johnson to amass over £11 in debt without any form of payment by 1789.<sup>10</sup> Not all returning Loyalists enjoyed Johnson's financial and social success. Isaac Longworth had been a trusted public servant who acted as Newark's town clerk throughout the early 1770s, but his attempt to serve as a community grocer upon his return failed miserably. Longworth wrote numerous letters to his friends in London discussing his pitiable economic condition in the late 1780s, but his letters make no mention of any physical assault or intimidation against himself, his wife, or his Loyalist

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<sup>9</sup> Tax Ratables, Essex County, Newark Township, September 1789. New Jersey State Archives, Trenton, NJ.

<sup>10</sup> "Newark Blacksmith Account Book, 1775-1795," Manuscript Group 1325, 103, New Jersey Historical Society, Newark, New Jersey.

brother who had also returned.<sup>11</sup> By 1788, the people of Essex were willing to welcome all but the most obnoxious Loyalists who had plundered and kidnapped so prevalently in their communities during the war.<sup>12</sup>

The political atmosphere within Essex County had become so tolerant that Elizabethtown residents were willing to accept the return of one of the most outspoken defenders of Parliamentary authority within America, the Rev. Thomas Bradbury Chandler. Chandler was the very first Loyalist to abandon Elizabethtown. He fled to Great Britain in the summer of 1775 and remained there throughout the entire conflict. While living in London he continued to pursue his long-time goal of establishing Anglican bishops throughout America, and he utilized his connections within the British government to raise money for the relief of distressed Anglican clergy and secure pensions for impoverished Loyalists seeking aid from Parliament.<sup>13</sup> At the same time, he was separated from his family, his health steadily declined after 1780, and the deflating stunning news of Great Britain's defeat was soon compounded by the sudden death of two of his children in 1784.<sup>14</sup> Chandler turned down the position of bishop to Nova Scotia because of his deteriorating health, and he secured permission from the archbishop of London to return to America in May of 1785 and rejoin his wife in Elizabethtown after

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<sup>11</sup> Jones, *The Loyalists of New Jersey*, 133-134. Longworth paid only £1 in taxes in September of 1789 placing him among the poorest residents of Newark. Tax Ratables, Essex County, Newark Township, September 1789.

<sup>12</sup> Thayer, *As We Were*, 157. Shepard Kollock, publisher of the *New Jersey Journal*, had relocated his printing press to Elizabethtown and 1785 and encouraged his readers to welcome inactive Loyalists to their communities in his publications.

<sup>13</sup> Frank Garvin, "The Rev. Thomas Bradbury Chandler in the Light of His (Unpublished) Diary, 1775-1785," *Church History*, Vol 1. No. 2 (June 1932, 90-106), 97-103

<sup>14</sup> *Ibid.*, 103 and Hatfield, *History of Elizabethtown*, 548. According to Hatfield, Chandler's health problems began in 1780 when a small scab on his nose that stemmed from a case of small pox twenty-three years earlier grew cancerous. Chandler first lost one of his daughters in the spring of 1784, and his son "Billy" who had served in the New Jersey Volunteers died later that year.

nearly a decade of self-imposed exile.<sup>15</sup> Although Chandler had condemned the Continental Congress and America's military campaign against the British government, his return to Elizabethtown in 1785 produced none of the violence or threats that plagued others Loyalists who tried to assert their rights under the Treaty of Paris immediately after the war.

The attitude of Essex residents concerning the re-integration of Loyalists into their communities had changed so greatly by 1785 that Chandler returned to Elizabethtown without incident and resumed his position as minister of St. John's Episcopal Church upon the invitation of its congregants. Many Anglicans fled Essex County and became Loyalists in 1777, but the church officials that called upon Chandler to resume his post were not returning Loyalists like Chandler. All members of St. John's vestry in 1785 had remained in Elizabethtown throughout the Revolution and supported the war for independence. They all pledged their allegiance to the new state government, but neither the flight of their minister nor the damage inflicted upon St. John's Church by Continental soldiers led these parishioners to abandon their church. They held regular meetings in their parsonage with one parishioner or a visiting Anglican minister leading the congregation in prayers and providing a sermon.<sup>16</sup> Although they embraced independence and renounced their allegiance to George III, the leaders of St. John's warmly welcomed Chandler in 1785. Chandler's deteriorating health prevented him from fully discharging all his duties as minister, but the church vestry nonetheless allowed

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<sup>15</sup> Garvin, "The Rev. Thomas Bradbury Chandler," 104. After Chandler rejected the offer to serve as bishop to Nova Scotia the position went to his colleague the Reverent Charles Ingliss who had served as rector of Trinity Church in New York City throughout the Revolution. Jones, *The Loyalists of New Jersey*, 42.

<sup>16</sup> Abraham Beach to the Secretary of the SPG, October 1, 1782 in Clark, *The History of St. John's Church*, 159-160.

Chandler to keep his post, live in the rectory, and divide his religious duties with the Rev. Uzal Ogden of Newark.<sup>17</sup>

Chandler and the vestry of St. John's faced the monumental task of rebuilding both their congregation and their church itself following the minister's return. Many of the Anglicans who fled Elizabethtown during the war had not yet returned by 1785, and the congregation was significantly smaller than it had been at the start of the war. Furthermore, their church was in disarray due to the great abuse it sustained at the hands of Continental soldiers throughout the Revolution. They destroyed the fences surrounding the church's graveyard to use as firewood that left its cemetery "open to the range of beasts, and the unhallowed movements of men little better than they" according to one parishioner.<sup>18</sup> Soldiers also desecrated numerous tombstones by using them as "fire places at which the soldier dressed his homely meal," and they did similar damage to the larger monuments.<sup>19</sup> The interior of the church was "a scene of ruin." Soldiers had torn out and burned all the pews and converted the space into a stable for their horses. They melted all the pipes of the church organ for use as musket balls and wished to do the same to the church's bell but could not find a way to safely remove it from the steeple.<sup>20</sup> Chandler and the vestry clearly had a tremendous amount of work to do.

Between 1786 and 1787, the leaders of St. John's installed new pews throughout their church and repaired much of the damage to the exterior of the building as well.<sup>21</sup>

The reconstruction of St. John's Church after the Revolution reflected a new spirit of

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<sup>17</sup> Hatfield, *The History of Elizabeth*, 546. The visiting Ogden was responsible for a much larger share of the work.

<sup>18</sup> Clark, *The History of St. John's Church*, 157. This testimony was given by either General Matthias Williamson or Mrs. Hylton, "a lady of distinguished piety."

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*, 163-164.

unity and cooperation. The fact that the church's officers and minister had embraced different political ideologies and conducted themselves in remarkably different ways throughout the conflict was put aside. Several vestry members such as Captain William Garthwait and General Matthias Williamson were respected officers of the New Jersey militia, and they shared power within the church with convicted militia delinquents such as William Townley.<sup>22</sup> Men who risked their lives during assaults against British soldiers like Edward Thomas shared power within their church with men long suspected of being British spies such as John Hendricks, a man charged with both counterfeiting and selling food to enemy troops between 1777 and 1779.<sup>23</sup> All the officers within St. John's Episcopal Church claimed to be patriots throughout the conflict, but soon after the conflict ended they invited an unapologetic Loyalist to serve as their pastor in the post-war period. Like many of the people of Essex, the leaders of St. John's Episcopal Church had strained relationships with one another during the Revolution, but they were willing to look beyond their past differences and work together to rebuild their church and their community after 1785.

The residents of Essex County, New Jersey endured substantial military, economic, and emotional suffering throughout the American Revolution that ultimately divided the Essex population beyond only Patriot and Loyalist camps. Congress's Declaration of Independence and New Jersey's new constitution forced the people of

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<sup>22</sup> The wardens and vestry of St. John's Episcopal Church at the end of Chandler's ministry were: Matthias Williamson, Edward Thomas, Jonathan DeHart, William Garthwait, William Townley, Edward Townley, and Daniel Terrill. For information on Williamson's and Townley's military service during the conflict see (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, New Jersey State Archives, Trenton, NJ, Matthias Williamson, William Garthwait, and William Townley.

<sup>23</sup> (Revolutionary War), Service Abstracts [Cards], ca. 1776-1783, New Jersey State Archives, Trenton, NJ. Edward Thomas and *Minutes of the Council of Safety of the State of New Jersey* (Jersey City, J.H. Lyon, 1872), 164, 168 and Essex County Court of Common Pleas/Court of General Quarter Sessions, Minutes 1710-1907, Book F, January 1772-January 1781, June 24, 1777

Essex to choose between a future within the British Empire or one outside of it, but the rift within Essex communities extended beyond this major political dilemma. Supporters of independence shared both a common goal and a deep hatred for their wartime enemies, but they were nonetheless divided because many refused to live by the tenets of Whig ideology that their leaders espoused or to make the military and economic sacrifices that their government deemed necessary for victory. Essex smugglers provided British soldiers with many of the materials they needed to sustain their war effort, and widespread militia delinquency gave British forces ample opportunity to strike at Essex communities, plunder their homes and farms, and sow disaffection throughout the region. Essex County's Patriots emerged triumphant in 1783 despite the ongoing political, military, and social divisions that hindered their war effort. Within several years the deep animosity they felt towards most Loyalists had largely evaporated allowing them to welcome most of their former enemies home and to share in the task of re-building their communities and constructing a new, cohesive identity as citizens of the United States of America.

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### Appendix A: Battles and Skirmishes In Essex County or Staten Island<sup>1</sup>

November 21, 1776	Acquackanonk	Americans destroy bridge over Passaic River to prevent British from gaining on them
January 5, 1777	Elizabethtown	General William Maxwell of Continental Army conducts foraging raid and captures stores
January 8, 1777	Elizabethtown	Americans retake town as British army flees
February 24, 1777	Elizabethtown	Colonel Thomas Stirling (British) leads raid on town
February 27, 1777	Elizabethtown	Major Robert Tympany (British) raids Elizabethtown with 60 men. Kills 2-3 rebels and takes 4-5 prisoners
March 6, 1777	Elizabethtown	Major Robert Tympany leads raid on Elizabethtown and kills some rebels and captures 10 head of cattle
September 14, 1777	Elizabethtown	British kill Pvt. Stephen Ward in raid
September 15, 1777	Elizabethtown	British kill Capt. Francis Lock during skirmish
October 12, 1777	Elizabethtown	Newspaper reports “smart firing” at sloop in His Majesty’s service stationed near Elizabethtown
September 28, 1778	Elizabethtown	American sentries exchange cannonade with enemy vessels off DeHart’s Point and report injuries
February 25, 1779	Elizabethtown	British destroy barracks and damage Gov. William Livingston’s house and blacksmith shop during raid
February 27, 1779	Elizabethtown	General Henry Clinton (Br.) leads raid and takes 30 rebels
June 12, 1779	Elizabethtown	Cornelius Hatfield and 5 Loyalists cross to mainland from Staten Island and capture Lt. John Haviland and a captain of a guard boat
June 18, 1779	Elizabethtown	Cornelius Hatfield leads plundering and reconnaissance raid

<sup>1</sup> David C. Munn, *Battles and Skirmishes of the American Revolution in New Jersey* (Trenton: Bureau of Geology and Topography, Department of Environment Protection, 1976).

October 14, 1779	Elizabethtown	A small rebel party of 9 men commanded by Captain Craig take sloop <i>Neptune</i> , strip it of rigging and stores, but lose it to British before it can be burned
October 28, 1779	Elizabethtown	Major John Simcoe leads Queen's Rangers in raid on Elizabethtown and BONHAMTOWN. Simcoe proceeds to BOUND BROOK, where Rangers destroy boats and stores, and to SOMERSET COURT HOUSE, where they burn the courthouse. On return the militia surprise them and capture Major Simcoe
January 30, 1780	Elizabethtown	Party of 300 infantry and about 60 Dragoons under Lt. Col. Abraham Van Buskirk cross from Staten Island and burn Presbyterian meeting & Court House
February 10, 1780	Elizabethtown	Enemy party under General Thomas Stirling and Cortlandt Skinner plunder Elizabethtown and take 5 or 6 prisoners
March 24, 1780	Elizabethtown	Unidentified Loyalists from Staten Island carry off Matthias Halsted
April 23, 1780	Elizabethtown	Party of the enemy from Staten Island attempts to surprise sentinels at Halsted Point, kill 1 sentinel, but are driven off
June 8, 1780	Elizabethtown	Rebels attack the 22 <sup>nd</sup> Regiment at Elizabethtown. Neither side gains any advantage
June 14, 1780	Elizabethtown	"Last night they (Br.) attacked our picket, were beat back with much loss."
June 23, 1780	Elizabethtown	Skirmish occurs in the Elizabethtown area relating to the action at SPRINGFIELD
September 17, 1780	Elizabethtown	Party of Stephen Moyland's (Am.) Light Horse at Elizabethtown to collect cattle. Militia stops them and "obliged them to relinquish their Booty."
November 4, 1780	Elizabethtown	Tory Smith Hatfield leads raid on Elizabethtown and CONNECTICUT FARMS
November 26, 1780	Elizabethtown	Tory Captain Cornelius Hatfield captures lieutenant and 5 or 6 others during raid

December 14, 1780	Elizabethtown	British surprise corporal's guard at Halsted's Point, capture 4 and kill 1
February 1, 1781	Elizabethtown	30 Refugees under Tory Cornelius Hatfield take 9 men from Elizabethtown
February 23, 1781	Elizabethtown	Tory Captain Cornelius Hatfield takes Captain Craig and 4 inhabitants in raid
March 27, 1781	Elizabethtown	200 Regular and Refugees under Major George Beckwith capture 10 inhabitant, 1 lieutenant, 3 privates and 2 Continental soldiers. Refugees lose only 2 men
April 21, 1781	Elizabethtown	Small force under O. Hendrickson (Am.) drives off party of 70 from Staten Island. Kill Elias Mann of the banditti, wound Smith Hatfield and a small boy
May 4, 1781	Elizabethtown	Party of plunderers carry off 40 head of cattle
May 21, 1781	Elizabethtown	Captain Hendricks (Am.) and 10 or 12 men drive off foraging party from Staten Island
June 2, 1781	Elizabethtown	British kill Pvt. Richard Woodruff at Elizabethtown
June 29, 1781	Elizabethtown	Volunteers take 20 prisoners and some sheep and cattle in skirmish with local militia and sustain no injuries
July 22, 1781	Elizabethtown	Refugees under Captain Cornelius Hatfield take Lt. Obadiah Meeker and 14 privates
November 24, 1781	Elizabethtown	Member of the State Troops shoots and kills Rev. James Caldwell
December 1, 1781	Elizabethtown	Captain Jonathan Dayton ambushes 7 Refugees from Staten Island, kills 1, mortally wounds another and takes 3 prisoners
February 1, 1782	Elizabethtown	Captain Cornelius Hatfield and 30 Loyalists take 9 prisoners from Elizabethtown
July 4, 1776	Elizabethtown Point	Captain Daniel Neill (Am.) fires on and sinks British armed sloop sailing up to Elizabethtown Point
July 13, 1777	Elizabethtown Point	Party of 12 go to Elizabethtown Point and fire on rebels. They kill 1, wound 3, and capture a new flat-bottom boat

August 14, 1777	Elizabethtown Point	Party of Volunteers raid Crane's Ferry near Elizabethtown Point and capture 3 militiamen
September 11, 12, 1777	Elizabethtown Point	Sir Henry Clinton leads foraging party into the Jerseys intended to act as diversion for General William Howe's Philadelphia campaign. Raid lasts 2 days
June 7, 1780	Elizabethtown Point	American troops under General William Maxwell seriously wounded British General Thomas Stirling in skirmish
November 28, 1776	Newark	Skirmish occurs as British enter Newark
January 5, 1777	Newark	General William Maxwell (Am.) conducts foraging raid and captures stores
April 12 – 17, 1777	Newark	Skirmish occurs sometime between these dates
September 11, 1777	Newark	General Henry Clinton leads foraging raid into the Jerseys intended to be a diversion for General William Howe's Philadelphia campaign
September 12, 1777	Newark	British force of several thousand men attack from several directions. Local militia causes them to move on to Acquackanonk
October 27, 1779	Newark	Some of the enemy go to Newark in boats and burn American guard houses but no other mischief
January 25, 1780	Newark	Major Charles Lumm of the 44 <sup>th</sup> Regiment, with part of the 42d, surprises rebel posts at ELIZABETHTOWN and Newark
February 19, 1780	Newark	Party of about 50 invades Newark and takes 2 prisoners and several head of cattle. Militia assembles so quickly that invaders are forced to flee
May 26, 1780	Newark	Detachment of 150 men from the 57 <sup>th</sup> Regiment under Major Charles Brownlow surprise small body of rebels, kill 4 and take 33 prisoners
June 23, 1780	Newark	Skirmish occurs in the Newark area related to action at SPRINGFIELD

July 17, 1780	Newark	Lt. Eben. Ward leads Refugees and captures 4 Americans at Newark. Taken prisoner are Major Joseph Hays, Thomas Canfield, a commissioner of forfeited estates; Job Canfield and Zophar Lyon, "all atrocious rebels."
November 21, 1780	Newark	100 of the enemy under Captain Thomas Ward enter Newark on a "picarooning" expedition. Militia recaptures most of the livestock and takes 2 prisoners
March 29, 1781	Newark	Party from New York attempts to kidnap Josiah Hornblower, Speaker of the Assembly, but he escapes
August 21, 1781	Newark	Captain Harding with about 40 Refugees conducts foraging raid
May 29, 1782	Newark	Americans take 3 men of Captain McMichael's Refugees
June 2, 1782	Newark	Captain Sanford takes Captain McMichael and 2 other Refugees
November 29, 1781	Newark Bay	Captain Baker Hendricks (Am.) with a party in whaleboat sails to Newark Bay, boards and strips 2 boats and takes 1 prisoner
January 5, 1777	Spanktown (Rahway)	General William Maxwell (Am.) conducts foraging raid and captures stores
January 8, 1777	Spanktown (Rahway)	Party of Jersey militia attacks regiment of British troops. British receive support which saves them
February 23, 1777	Spanktown (Rahway)	British attack Americans in an attempt to obtain forage. British beaten badly, but Americans cannot push their advantage because of weather and fact they are vastly outnumbered. Becomes known as Battle of Rahway
March 8, 1777	Spanktown (Rahway)	Party of British surrounds body of American patriots who soon put whole party to flight
March 16, 1777	Spanktown (Rahway)	Rebels fire upon General William Howe's escort
June 27, 1777	Spanktown (Rahway)	General Charles Scott's light horse and Col. Daniel Morgan's Rangers harass British after evacuation of New Brunswick
January 30, 1780	Spanktown (Rahway)	Party of the enemy carry off "near a dozen" of local residents during raid

March 1, 1781	Spanktown (Rahway)	Refugees take John Clawson, commissioner for selling forfeited estates, prisoner during raid
March 21, 1781	Spanktown (Rahway)	Refugees from Staten Island on plundering raid carry off several inhabitants
September 25, 1781	Spanktown (Rahway)	Party of Refugees hidden behind fence fire upon company under Captain John Pain reconnoitering near Spanktown killing Sgt. Joshua Marsh
March 14, 1782	Spanktown (Rahway)	Tory Lewis Robbins leads raid and takes 7 prisoners
December 17, 1776	Springfield	First skirmish in state in which New Jersey troops force British to turn and retire
January 5, 1777	Springfield	Foraging party and local militia have brief exchange
January 19, 1777	Springfield	Militia kills 8 or 10 Waldeckers and captures remainder of party with no losses during raid
February 1, 1777	Springfield	Party of 4000 rebels under General John Sullivan attempt to take a hill from 42d Regiment under Sir William Erskine. British prevail and claim 18 killed and wounded while reporting 250 Americans "killed on the spot"
June 7 – 23, 1780	Springfield	General Wilhelm von Knyphausen invades New Jersey to drive out patriots. Main battles occur on 7 <sup>th</sup> and 23 <sup>rd</sup> , but there is an "almost daily exchange" of raids between the 2 armies
February 19, 1776	Staten Island	300 militia from Essex County under Captain John Blanchard go to Staten Island to stop raids by British vessels
July 4, 1776	Staten Island	2 men in canoe cross from Elizabeth and fire on British encampment on Staten Island
July 24, 1776	Staten Island	Men from Elizabeth skirmish on Staten Island and lose 1 man
October 13, 1776	Staten Island	General Matthias Williamson and men from Colonel Matthias Slough's battalion conduct raid on Staten Island
October 15, 1776	Staten Island	Americans lose 2 men, take 20 prisoners in raid on Richmond Town

March 14, 1777	Staten Island	Party of rebels fire on forage boats
August 19, 1777	Staten Island	Tory raiders from Staten Island penetrate 27 miles inland
August 21, 1777	Staten Island	Party of 1500 rebels under William Alexander, Lord Stirling, General John Sullivan and a French officer raid Decker's Ferry. British claim 200 Americans killed and 300 taken prisoner, with no more than 50 casualties of their own
August 22, 1777	Staten Island	Rebels raid Decker's Ferry, destroy hay and capture Colonel Barton
August 27, 1777	Staten Island	British take Uriah Chamberlain prisoner during raid. He dies the next winter in prison
November 18 – 21, 1777	Staten Island	On 4 successive nights, rebels from Elizabeth raid Staten Island with no results
November 27, 1777	Staten Island	General Philemon Dickinson attempts to surprise Cortlandt Skinner with raid. Skinner makes good his escape but Loyalists lose 5 or 6 killed and 24 prisoners. American lose 3 prisoners and suffer 14 wounded
December 26, 1777	Staten Island	American raid on Staten Island captures Tory Benjamin Williams
June 9, 1778	Staten Island	Rebels attempt to take picket guard on Staten Island but fail
June 24, 1778	Staten Island	Captain Randle (Am.) with 14 men go to Staten Island and fire on militia on guard
November 3, 1778	Staten Island	Party from Elizabeth carries off Mr. Bonnell, Barrack-Master. He returns on his own parole
November 28, 1778	Staten Island	Americans raid Staten Island from Halsted's Point
February 8, 1779	Staten Island	Captain Asher Fitz-Randolph leads raid on Staten Island
March 18, 1779	Staten Island	Party of rebels go to Prince's Bay to carry off boat loaded with wood. Local inhabitants drive them off

June 30, 1779	Staten Island	Party from New Brunswick captures Colonel Cortelyou (Br.) and Mr. William Smith
July 9, 1779	Staten Island	Party of rebels come over to Staten Island in small boat and capture 2 inhabitants
August 6, 1779	Staten Island	Small party of troops make an excursion to Staten Island and bring off 2 of the enemy in arms
January 14, 1780	Staten Island	William Alexander, Lord Stirling (Am.) mismanages raid
February 12, 1780	Staten Island	Inhabitants from Spanktown make excursion to Staten Island and bring off a Tory captain and 7 loyal inhabitants
August 25, 1780	Staten Island	Party of 6-months men under Ens. Lewis Fitz Randolph (Am.) take Justice Lake and 5 other Loyalists prisoner during raid
September 3, 1780	Staten Island	Ens. Lewis Fitz Randolph leads excursion onto Staten Island and captures Anthony Wright and 2 other noted Loyalists
September 19, 1780	Staten Island	Ens. Lewis Fitz Randolph and men take 4 prisoners in raid
March 26, 1781	Staten Island	Detachment of 8 men from Elizabeth capture a lieutenant and a militia private during raid
April 9, 1781	Staten Island	Captain Baker Hendricks leads party from Elizabeth and captures 3 people
April 16, 1781	Staten Island	Captain Baker Hendricks conducts raid on Staten Island
May 8, 1781	Staten Island	Captain Baker Hendricks with another officer and 11 privates conduct raid on Staten Island. Volunteers under Ensign Barton take 2 Americans prisoner and wound Captain Hendricks
August 23, 1781	Staten Island	Lt. Asher Fitz Randolph leads successful raid which nets several prisoners and 9 horses
November 8, 1781	Staten Island	Peter Terrat, a noted thief who “supports himself by robbing and plundering” shoots and kills William Hatfield (Am.)

March 15, 1782	Staten Island	Americans seize a Hessian paymaster and a large sum of money (2000 guineas) intended for Hessian prisoners in Pennsylvania. Americans claim money intended for General Cornwallis' army but blame Refugees for raid
June 20, 1782	Staten Island	Major William Crane (Am.) with 30 men takes 2 whaleboats
June 26, 1777	Westfield	Militia harasses British Army, but nothing reported of any consequence. Happens at same time as the action at Short Hills