

**CELEBRATING NEW JERSEY'S ARCHIVES:
DOCUMENTS OF THE AMERICAN REVOLUTION**

EXHIBITION

at

**MONMOUTH COUNTY LIBRARY HEADQUARTERS
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OCTOBER 2002

Facsmiles of Revolutionary War Era documents from the Monmouth County Archives, New Jersey Historical Society, New Jersey State Archives, and Special Collections of Rutgers University at Alexander Library

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The cooperation of the following individuals from lending institutions is gratefully acknowledged: Ellen Callahan and Joseph Klett, New Jersey State Archives; Chad Leineweaver, New Jersey Historical Society; Ron Becker, Al King, and David Kuzma, Rutgers University. Thanks also to Sarah Bent for information useful in preparing the label about Richard Waln.

A LIST OF TRAITORS IN 1780

A List of Sundry Persons Taken for Tradeing and are as follows

A list of individuals from Burlington and Monmouth counties arrested in November and December 1780 for trading with the enemy (Great Britain), including Nathaniel Phillips, Captain of a schooner loaded with tobacco and pine board shingles. Note that ten of those arrested “made their escape from the constable.”

*Court of General Quarter Sessions
Monmouth County Archives*

LETTER TO PATRICK HENRY URGES ABOLISHING SLAVERY

Third page of a five-page letter from abolitionist Samuel Allinson, a Burlington, NJ, Quaker, to Patrick Henry, May 1774, from a later copy by Allinson’s son.

In this letter, Allinson, who didn’t know Henry, wrote the Virginia patriot at length urging liberty for all. The Quaker argued that “a fairer time never offered to give a vital blow to the shameful custom of Slavery in America,” since Americans were “groaning under unconstitutional impositions destructive of their Liberty.” “Can we say,” argued Allinson, “that a limited Slavery is injurious & disagreeable to ourselves, &, by our practice declare, that absolute Slavery is not unjust to a race of fellow Men because they are black?” The following year, on March 23, 1775, Henry stated, “Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!”

Special Collections, Rutgers University

LETTER FROM A SPY AFTER BATTLE OF BUNKER HILL: “THE JERSEYS ARE NOT A WHIT BEHIND CONNECTICUT IN ZEAL”

Benjamin Church [1734-1776], copy of Loyalist intelligence letter to unnamed addressee discussing the Battle of Bunker Hill, the patriot fervor in several cities and colonies, his fears of a declaration of independence, and foreign alliances, etc. [Boston?], [1775]. The letter was intercepted and Church was court-martialed.

This letter is an early copy of a famous “cipher letter,” written in code, which resulted in Church being convicted of treason and deported to the West Indies (the ship disappeared en route). Educated at Harvard and in London, Dr. Church had been a respected Boston physician. In 1770, after the Boston Massacre, he examined the body of Crispus Attucks, an African American considered the first casualty of the American Revolution. Church, an excellent writer and orator, became a Whig (patriot) leader in the 1770s. A trusted member of the Committee of Safety that virtually ruled Massachusetts in the years of

unrest before the Revolution, Church was privy to every secret of importance, which apparently he conveyed to the British Governor, General Thomas Gage. Gage's archives now contain other letters from the spy, probably sent in exchange for money to support a mistress and a lavish lifestyle. Although Church's guilt is clear today from archival evidence, it was much less obvious in 1776, when he denied the charge and claimed that he was just trying to mislead the British that the Americans were stronger than they really were.

Rutgers Special Collections, Loc. CB

“AUTHORITY. . . DERIVED FROM THE PEOPLE”

Constitution of New Jersey, 1776, Burlington, New Jersey, pages 1 and 9

In June 1776, the fourth Provincial Congress of New Jersey transformed itself into a constitutional convention. Meeting in Burlington, the assembly rather hastily adopted a declaration of independence from Great Britain on July 2nd. The document outlined the form of government to be installed. A two-house legislature was created, the upper chamber comprised of one representative from each county. Representation in the lower chamber was apportioned among the counties roughly by population. The governor was elected to a year-long term by the legislature, not a direct public election. This means of electing the governor continued for sixty-eight years. The document ends rather curiously with an escape clause of sorts, providing for its nullification “if a reconciliation between Great Britain and these colonies should take place.” Of course, no such reconciliation took place, and this document remains New Jersey's own declaration of independence, predating the nation's by two days.

Reproduction and caption, New Jersey State Archives

“A TYRANNY SET UP AMONGST US”

Petition of 25 Monmouth County citizens to the Legislative Council and General Assembly concerning the illegal behavior of the Retaliators, [1781]

One of several petitions to the General Assembly complaining about the excesses of the Monmouth “Committee of Retaliation,” a vigilante organization formed in 1780 under David Forman that acted as a shadow government to the duly elected county representatives. Forman (1745-1797) was a Continental army colonel, former brigadier general of militia, and justice of the peace who was then judge of the county court. The “Associators,” as they were also called, were supposed to protect its members from Loyalists and outlaws. But they used their power to plunder and physically abuse peaceful Crown sympathizers and to settle private grudges. A committee of the state legislature condemned the Retaliators but it continued to operate until the end the war.

New Jersey State Archives, #10948

“Bistado . . . shot Williams dead; & took him the said Fowler Prisoner”

Confession before Governor’s Council of Safety, April 11, 1777

Thomas Fowler, along with Samuel Woodward and Nicholas Williams, went to Shrewsbury to join the British at Sandy Hook. Woodward recruited Fowler with “promises of great reward” if he would help recruit men to carry out British General Howe’s order to seize the Salt Works at Sandy Hook, “that the Whigs might be conquered the easier.” Fowler and Williams then “waylaid” Lewis Bistado to take him “to the Hook, to prevent his hunting them in the Pines.” But after Williams shot at Bistado and missed, Bistado killed Williams and took Fowler prisoner.

New Jersey State Archives

“THE HANGING PLACE”

1790 deed between Samuel Forman and David Forman, recorded August 1813. [1st and 3rd pages]

In this indenture, a piece of property in Freehold is described as including “the corner of Daniel Barcalows woods the noted hanging place.” According to historian David Fowler, at least a dozen Loyalists were hung there during the American Revolution. The buyer, David Forman, who had left Monmouth for Kent County, Maryland, was a general and judge during the War for Independence and leader of the Retaliators vigilante group that persecuted Loyalists; he must have been quite familiar with this piece of property.

Neilson Family Papers, Box 10, Special Collections, Rutgers University .

“SHORTLY TO DEPART THIS LIFE...”

Will of Captain Joshua Huddy, April 12, 1782

On March 30, 1782, Loyalist raider Philip White was captured by militia near Long Branch. White was murdered by his guards, among them the son of a man slain in 1780 by a raiding party that included White. Two weeks later, Joshua Huddy was seized during a Loyalist raid at Toms River. After writing his will, Huddy was hung and left with a note pinned to his chest that read in part, “Up goes Huddy for Phil. White.” In Monmouth, this incident led to further revenge killings and petitions to the legislature. As for George Washington’s response, he came close to hanging a British officer, Captain Charles Asgill, and threatened to scuttle the Paris peace talks.

New Jersey Historical Society, Revolutionary Era Collection, #MG4

INDICTED FOR SELLING ANIMALS TO THE BRITISH

*Monmouth Quarter Sessions Court, Oct Term 1781. The State vs. Josiah Morris
[pleaded not guilty, verdict unknown]*

“The Jurors in behalf of the State of New Jersey for the body of the County of Monmouth upon their oath present that this State and the United States of America now are and for a long time past have been at open war and enmity with the King of Great Britain and that Josiah Morris late of the township of Upper Freehold in the same County of Monmouth and within the jurisdiction of this Court did on the thirtyeth day of August in the Year of our Lord [1781] unlawfully wilfully and wickedly go over from the said Township of Upper Freehold to the City of New York which City of New York was then and still continues to be in the possession of the Subjects and troops of the said King of Great Britain without any license permission or Passport for that purpose previously obtained from any competent authority contrary to the Laws of this State and against the Peace and Safety of this State the government and dignity of the same. The Grand Jury within mentioned do present to the Honorable Court that the within mentioned Josiah Morris at the time of **going over to the enemy’s lines did carry over fourteen Sheep and a Yoke of Oxen** in company with Livingston South and John Trout.”

Monmouth County Archives, QS

INQUISITION AT MONMOUTH 1783

“Mercy Stillwell late of the township of Middle Town . . . did join the Army of the King of Great Britain”

Thirteen men here sign an oath that on about January 1, 1781, Mercy Stillwell had joined the British army. Such Loyalists were termed “fugitives and offenders” and the Inquisition was a prelude to the seizure of their property. The Inquisition was made in the court of Justice of the Peace David Forman, a leading patriot in Monmouth County. Forman was also a Colonel in the Continental Army and the Chairman of the “Retaliators,” a vigilante group that persecuted Loyalists outside the courtroom. Inquisitions for women are rare in the Monmouth County Archives.

Monmouth County Archives - RWB

“THE DEVASTATION OF THE BRITISH”

Petition of Isaac Ivins, Chesterfield Township, Burlington County, to Supreme Court of New Jersey, 1785 [1st page only]

Ivins was a member of a prominent central New Jersey Quaker family, at least one of whom, Moses, was a Loyalist insurgent in 1776. Here, he petitions the court to replace a

deed “destroyed by the Devastation of the British army in December 1776.” That month, the British and Hessian troops were in a line from Hackensack to Burlington, which was bombarded on December 13. Two weeks later, Washington crossed the Delaware and won the Battle of Trenton.

New Jersey State Archives

GOING TO NEW YORK WITHOUT A PASSPORT

Indictment of Joel Bedell, Monmouth Court of Quarter Sessions, October 1780 [pleaded guilty]

“The Jurors on behalf of the State of New Jersey for the body of the County of Monmouth upon their oath present That the State of New Jersey and the United States of America now are and for some time past have been at open war and enmity with George the third King of Great Britain and that **Joel Bedell** late of the Township of Middletown in the said County of Monmouth, yeoman on the twentieth day of June in the Year of our Lord one thousand Seven hundred and Eighty and during the war aforesaid from the said Township of Middletown in the County aforesaid and within the Jurisdiction of this court **did voluntarily, maliciously advisedly, unlawfully and seditiously go over to the City of New York**, Long Island and Staten Island in the State of New York, which Said City and Islands were then and still are in the possession of the troops and Subjects of the Said King of Great Britain, **without any leave license or passports** previously obtained from any competent authority, to the evil example of all others in like case offending, against the form of the act of the Council and General assembly in such case made and provided, against the peace of this State the government and dignity of the same.”

Monmouth County Archives

“AN ENTHUSIAST FOR INDEPENDENCE”

Letter from General “Mad” Anthony Wayne to Robert Morris, a signer of the Declaration of Independence, after the victory at Yorktown, October 26, 1781 [1st and 3rd pages]

Wayne urges that America quickly take advantage of the surrender of Lord Cornwallis to secure “a glorious & happy peace.” Wayne (1745-1796), who served under Lafayette at Yorktown, had led his Pennsylvania regiment at the Battle of Monmouth in 1778 and was one of George Washington’s most effective and trustworthy officers. In 1779, when Washington asked him to attack the British at Stony Point, where the enemy was protected by a 200 foot cliff, he replied, “Issue the orders, Sir, and I will storm hell!”

Rutgers University, Special Collections, Ac. 1023

WIFE OF CAPTURED LOYALIST SEEKS NEWS

Mary Leonard. Letter to R.D. Hooper, Jr., requesting information on the whereabouts of her husband (presumably an imprisoned Loyalist) and aid for her distress. Lebanon, NJ, October 29, 1777.

“Since I left East Town I have been indissposed that I have not been able to write till now. I send the inclosed to Mr. Leonard beg the Favour that you will [found / forward?] it as soon as Possible. I flater my Self Sir by this time you have heard from him where his Lot is to be, if he Should happen to be placed at Reading or East Town I should Esteem it one of the greatest Blessings I could enjoy at this time. If he is Sent two Hundred mile from me my State of Health will not admit my going to him, as you have the Character of a Gentleman of Great Humanity I make not the least dought but you will assist and befriend the Distressed as sure as is Consistant with your Honer. I have not heard if you have sent to Gen. Dickerson for my things. I should be Extremely obliged to you for that favour as I have nothing to Shift in nor can not buy any. Sir complying with my request you lay me under the highest Obligation. From your Sincer Friend Mary Leonard”

Special Collections, Rutgers University, Loc. S

TRADING WITH THE ENEMY!

An Act to prevent the Subjects of this State from going into or coming out of the Enemies' Lines, without Permissions or Passports... [First and last pages on display] [Trenton, October 8, 1778]

After the Battle of Monmouth, the British retreated to Staten Island, from which they conducted numerous raids into Monmouth County. Military engagements in Monmouth continued through 1782, after they had largely ceased elsewhere in New Jersey. Illegal trading with the British was a persistent practice, especially by those who had Loyalist sympathies. This Act, in response to the actions of “many disaffected Subjects of this State,” provided for the sale of the transgressors’ property, with the proceeds to be divided among those who seized it. John Hart, who signed this document, also signed the Declaration of Independence.

New Jersey State Archives, Sec. of State, Box 1

“ HIGHEST GOOD HUMOR & GAIETY PREVAILED”

George Olney's copy of letter from Tench Tilghman, one of the Commander-in-Chief's principal aides, referring to a provocatively amusing incident between Mrs. Olney and George Washington. Providence, R.I., March 11 and 14, 1781.

“The Winter before the last, when the Army was cantoned near Morristown, a large Company, of which the General and Mrs. Washington, General and Mrs. Greene, Mr. and Mrs. Olney were part, dined with Col. and Mrs. Biddle. Some little time after the Ladies had retired from Table, Mr. Olney followed them into the next room. It was proposed that a party should be sent to demand him and if the Ladies refused to give him up, that he should be brought by force. This party his Excellency [George Washington] offered to head. They proceeded with great formality to the adjoining room, and sent in a summons, which the ladies refused: such a scuffle ensued as any good natur'd Person must suppose: the Ladies, as they always ought to be, were victorious. But Mrs. Olney, in the course of the contest, made use of no expressions unbecoming a Lady of her good breeding, or such as were taken in the least amiss by the General. . . . the whole matter was in jest. . .”

Special Collections, Rutgers University, Loc. S

CONFISCATE THE TRAITOR'S PROPERTY!

Inquisition against Andrew Bown, a 'fugitive,' March 28, 1782.

Accusation against Middletown Township resident Andrew Bown for joining the British army in June 1777. An Act passed in December 1778 allowed for the seizure of real estate owned by such “fugitives and offenders.” In New Jersey, at least 500 Loyalists lost their property in the decade following the passage of this law. Prominent members of the vigilante group, the “Retaliators,” are among the signers of this document, including Colonel David Forman, Major Elisha Walton, Major Jonathan Forman, and County Clerk Kenneth Anderson.

Monmouth County Archives - RWB

PENSIONS FOR REVOLUTIONARY WAR VETERANS

Declaration of Michael Megahan, July 26, 1820.

One of 43 pension applications in the Monmouth County Archives, 1818-1829, in accordance with a March 18, 1818 act of Congress entitled, "An Act to provide for certain persons engaged in the Land and Naval Service of the United States in the Revolutionary War," supplemented May 1, 1820. Pensions were made available only to those who were unable to earn their own living or to support their families due to age or infirmity. Each petitioner was required to make a "declaration" of his eligibility which included his age; the name of his commanding officer or officers; company and regiment during his service; an inventory of his personal and real estate; and names and ages of household members.

Monmouth County Archives

PETITION AGAINST THE REFUGEES

Inhabitants of the Towns of Middletown...to the Legislative Council and General Assembly, May 10, 1783

In this petition signed by 74 persons, it is asserted that, since peace is at hand, those who joined the side of Great Britain will try to return to their “injured and bleeding Country.” The signers oppose any “indulgence” towards the “Refugees”; they should neither be allowed to “return in peace” nor granted “any restoration of their property.” Monmouth had suffered greatly from the depredations of Loyalist raiders and Loyalist property had been confiscated. The sentiments are consistent with the tenets of the Association to Oppose the Return of Tories, which formed the same year.

New Jersey State Archives, R.D. 133

RICHARD WALN’S PLEA TO RETURN HOME

“To William Livingston Esq. Governor of the State of New Jersey & to the Council of Safety... August 13, 1778

Richard Waln’s petition to return to his home in Upper Freehold (the largest house in Monmouth County at the time), now Historic Walnford, a county park. Waln was a Quaker, which precluded active involvement on either side of the war. But as a mill owner and successful trader, Waln wanted to continue trading with the British if possible. The Council on Safety ordered his arrest on July 21, 1777. On October 11, he appeared and refused to affirm his allegiance to the government. The Council then let him go to Staten Island with his family “into the Enemy’s lines.” On August 20, 1778, he returned via Philadelphia and was arrested again, resulting in this successful petition, in which he promises to be a “good Subject.”

New Jersey State Archives

THE JERSEY PRECEDENT THE ORIGINS OF JUDICIAL REVIEW

New Jersey Supreme Court. John Holmes & Solomon Ketcham v. Elisha Walton, In Certiorari... [November 1779]

As per an Oct. 8, 1778, state law, Elisha Walton, a militia major, seized more than \$70,000 worth of silk brought from behind enemy lines to Monmouth County. Attorney William Willocks here argues that the subsequent conviction of his clients Holmes and Ketcham should be reversed, stating, “In that the Jury who tried the said plaint before the said Justice consisted of Six men only contrary to the constitution of New Jersey.” On Sept. 7, 1780, Chief Justice David Brearley agreed, overturned the conviction, and struck

down the portion of the 1778 law on trading with the British that provided for juries of six, thereby establishing the principle of judicial review later adopted by the Supreme Court of the United States. English King Ethelred mandated the standard jury of twelve in the year 997.

New Jersey State Archives, #18354

TORY INQUISITIONS

Inquisitions against Anthony Woodward (son of William) and Thomas Bills, June 9 and 10, 1778, Freehold

According to these “inquisitions,” the accused joined “the army of the King of Great Britain.” The use of a printed form on June 9 suggests that there was a regular need for it; perhaps the supply was exhausted before June 10. Among the accusers, John Covenhoven and Garret Vanderveer both had their houses burned by the British on June 28. These men and several other signers became members of the “Retaliators” in 1779. Another, Peter Hulsart, rented a confiscated Tory estate.

New Jersey State Archives and Monmouth County Archives

“THE DIE IS CAST”

Copy of a letter, writer unknown, June 10, 1776, expressing both pride and fear about the American Revolution.

“I do not believe that all history can furnish a precedent of so much being done in so little time or in so masterly a manner, where you had so little right to look for consummate skill. If in every thing else we could come up to our exertions in these fortifications, I should hardly know how to doubt the judgment of those who think we may bid defiance to the world but I know not how it is. I am diffident in every thing. Whilst almost every body else seem[s] to have persuaded themselves that we have nothing to fear, I alone torment myself with thinking that every thing is against us. Even from these very words which have inspired us with such confidence, I anticipate only misfortune and disgrace. By this time the die is cast and America is authoritatively declared free and independent: and unless we can be contented to appear ridiculous in the eyes of all the world, we must resolve to support this declaration by suitable conduct.”

Special Collections, Rutgers University, Loc. S

“CONTINENTAL” PORK SEIZED BY LOYALISTS

Affidavit of Thomas Carter and William Hunt, Allentown, before Joseph Lawrence, Justice of the Peace, March 19, 1777

According to this complaint, a gang of about a dozen men led by Anthony Woodward, Jr., seized three wagon loads of pork from the storehouse of Isaac Rogers, Esq., in Allentown. When the deponents wanted to weigh the meat, Woodward told them it was

“Continental pork and that Mr. Rogers should never have any satisfaction for it.” Woodward and his first cousin Anthony, “commonly called Black Nat,” were white middle class landowners who sided with the British. Woodward was convicted in 1778 for riot and sentenced to one month in jail.

New Jersey State Archives, R.D. 27

WIDOW WOODWARD HARBORS NOTORIOUS PINE ROBBERS

Conviction of Elizabeth Woodward, Burlington County, from New Jersey Supreme Court Records, 1782

The jurors here conclude that Elizabeth Woodward, a widow of Chesterfield, Burlington County, did conceal Moses Doan, Nathan Tomlinson and “diverse others,” armed with “Guns & Pistols & other Weapons offensive and defensive,” despite knowing them to be “notorious Thieves & Robbers.” Marauding parties of these “Pine Robbers,” loosely affiliated with the British, plagued New Jersey during the Revolutionary War. Doan was a member of a notorious Tory outlaw family in Bucks County, PA.

New Jersey State Archives

“INTEMPERATE ZEALOTS” DRIVE OUT ROYAL GOVERNOR

*William Franklin, last Royal Governor of New Jersey, to New Jersey House of Representatives and his Majesty’s Council, 17 June 1776
[two selected pages]*

Less than three weeks before the Declaration of Independence, Governor Franklin (son of Benjamin) was arrested. Here he promises to depart to his place of residence for the duration of the war and not to provide any intelligence to the “Enemies of the United Colonies.” He also states, “...no office or honor in the power of the Crown to bestow, will Ever Influence me to forget or neglect the Duty I owe my Country, nor the most furious Rage of the most Intemperate Zealots Induce me to Swerve from the Duty I owe his Majesty.” Franklin, politically at odds with both his father and his son, violated his parole and was imprisoned in Connecticut until freed in a prisoner exchange. After serving as president of the Associated Loyalists association in New York (1781-82), which conducted violent raids on Monmouth County, he moved permanently to England.

New Jersey State Archives

SUGGESTED READINGS ON THE AMERICAN REVOLUTION IN MONMOUTH COUNTY

by

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