

XI GOVERNMENT AT WAR

the nation to the brink of bankruptcy (Doc. 6). Indicative of the magnitude of the problem is the fact that the pernicious trade with the enemy (Doc. 18), clearly treasonable, was widespread and in some respects vital to the economic health of the state. In reality, the government faced an impossible task in attempting to reconstruct the economy. New Jersey was simply not in a position to control its economic fortunes because the root problems were external. For the resolution of those problems and the return of prosperity, Jerseymen looked first to the Articles of Confederation (see Sec. XII) and then to the federal Constitution.

1 The New Jersey State Loyalty Oath

[“An Act for the Security of the Government of New-Jersey,” *Acts of the General Assembly of the State of New Jersey, August 27, 1776-March 17, 1777* (Burlington, 1777), Chap. 2.]

Governments have traditionally required oaths or tests of loyalty from persons entrusted with positions of public trust. But the following oath of abjuration and allegiance to be taken by all civil and military officials in the state was no mere formality. The double-edged declaration was simultaneously a vow of fidelity to the state of New Jersey and admission of treason against Great Britain. As self-confessed leaders of the rebellion, those who signed the oath were guilty in the eyes of the British of political crimes which could not be pardoned. With a stroke of the pen, they had committed a willful act of disloyalty and thus literally pledged their “lives, fortunes, and sacred honor” to the cause of independence.

Princeton, September 19, 1776

Whereas it is essentially necessary for the Safety of this State, That every Person, who holds any Office or Post of a publick Nature, should evince his Fidelity and Attachment to the Government from whence he derives Protection, and under which he is authorized to act; And Whereas to effect this important Purpose, it is necessary that a proper Test be established to be taken by all Officers civil and military within this State; and that the Governor or Commander in Chief be authorized by Law to administer such Test, and the official and other necessary Oaths in the several Counties thereof;

Sect. 1. Therefore be it Enacted by the Council and General Assembly of this State. . . That the following Test shall be taken by all Officers civil and military, who are now in Office, or hereafter shall be appointed, elected or commissioned, within the several Counties of this State, That is to say,

NEW JERSEY IN THE AMERICAN REVOLUTION

I AB do sincerely profess and swear (or, if one of the People called Quakers, affirm) that I do not hold myself bound to bear Allegiance to the King of Great-Britain. So help me God.

I AB do sincerely profess and swear (or, if one of the People called Quakers, affirm) that I do and will bear true Faith and Allegiance to the Government established in this State, under the Authority of the People. So help me God.

Which Oaths or Affirmations shall be administered by any Person or Persons who shall be duly authorized to tender the same by the Commander in Chief of this State. . . .

2 John Bray to Andrew Bray

[New Jersey Letters, Alexander Library, Rutgers University.]

When the British swept through New Jersey during the closing months of 1776, approximately 2,500 men quickly took advantage of General William Howe's proclamation of November 30 offering to pardon and protect anyone who signed a declaration of allegiance to the crown. Some signed because of Loyalist leanings, but most probably did so either because of indifference as to whether their rulers were monarchists or republicans, because of fear of the British army, or because of the apparent hopelessness of the rebellion. John Bray, a Middlesex County farmer of middling means, is representative of those motivated by the latter considerations. Sensing that the rebellion was about to be crushed and fearing that the British army would deal harshly with rebels, Bray encouraged his uncle, Andrew Bray of Lebanon in Hunterdon County, to use his influence as patriarch of the clan to encourage family members to take out British protections. (A "protection" was a statement signed by an authorized civil or military official declaring that a designated individual and his family were not to be molested in their person or property.) The "protections" proved not to be worth the paper they were written on. Hessians could not read English and the British routinely failed to heed the certificate. As a result, those who held protections often suffered as much as those who did not. Predictably, many did not scruple to switch allegiance when the opportunity presented itself (see Sec. VII, Doc. 9). Here too, the Brays are typical. The family produced many staunch patriots; Andrew saw action in the county militia, the state troops, and the Continental Line, while John served as an assistant commissary in the General Hospital of the Continental army and as a member of the Quartermaster's Department.