

7 Governor William Livingston to John Hancock

[*Executive Correspondence*, pp. 101-2.]

Prisoners of war were an annoying irritant to the New Jersey government, particularly during the initial two years of the war. Having incarcerated numerous avowed and suspected Loyalists of its own, the state was in no position to accommodate captured British soldiers and political prisoners from other states. The problem went beyond inadequate detention facilities and lack of supervisory personnel. As Governor William Livingston made clear to John Hancock, president of the Congress, New Jersey officials were greatly concerned about the negative political influence high ranking royalists might have on the people of the state. The danger was especially acute in New Jersey, where a high proportion of Loyalists and neutralists combined with constant exposure to the incursions of the British army to create a markedly unstable political situation. The governor's warning was not without effect. The Loyalists in question, John Penn and Benjamin Chew, were sent to Virginia, and from 1778 to the end of the war very few political or military prisoners were imprisoned in New Jersey. However, the state was frequently called upon to supply and guard the numerous prisoners of war who marched through the state en route to prisons elsewhere. And because of its proximity to New York City, Elizabethtown was a major center for the exchange of prisoners. The presence of large numbers of disaffected persons was understandably a constant concern of the government throughout the war.

Princeton, October 4, 1777

The council a few days ago was informed, but not officially so, that Mr. Penn,¹ late Governor, and Mr. Chew,² late Chief Justice of Pennsylvania, with some others, had been removed to the Union,³ in the county of Hunterdon, by order of the Hon. Board of War.⁴ We are extremely sorry that persons of their political caste and rank in life should have been sent into this state, which is nearly encircled by the enemy, to say nothing of our domestic foes. Wherever the enemy go they never fail to make friends and abettors, or at least to call up such into active life in their favor as during their absence remained in a sort of inactivity. We have suffered extremely from persons under parole. A course of experience has fully convinced us, that they have always tainted the neighborhood in which they have been fixed with toryism and disaffection. There is hardly a county in this state which is not at present exposed to the incursions of the enemy; and therefore we submit it, whether it be proper to send any suspected persons into it. They have an imperceptible and baleful influence even upon the well affected. We request, therefore, that the above gentlemen may be removed into some other state as soon as possible. Of all Jersey, the spot in which they are at present is the very spot in which they ought not to be. It has always been considerably disaffected, and still continues so, notwithstanding all our efforts, owing, we imagine, in part to the interests, connection, and influence of Mr. John Allen,⁵ brother-in-law of Mr.

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Penn, who is now with the enemy. Of this the Board of War must have been entirely ignorant, otherwise they would not have made such an order of removal. And we are willing to ascribe it to the hurry and multiplicity of their business, that either the honorable the Congress, or the Board of War, should have selected any part of New Jersey as a prison for mal-contents, without first notifying the same to the executive power of the state. Nor can we persuade ourselves that they will have any objection against our removing the before-mentioned prisoners out of this state, to such other parts of the country as Congress may think most fit for their safety, or, if they must remain in this state, to leave it to our direction in what particular locality, they are likely to do the least mischief.

I am your ob't and hum. ser't,
WILL: LIVINGSTON

1. John Penn, lieutenant governor of Pennsylvania 1763-1771 and 1773-1776. Despite his Loyalism, Penn returned to his native state after the war.
2. Benjamin Chew was arrested after refusing to sign a parole confining him to his home. He returned to Pennsylvania after the war and resumed his judicial career as president of the High Court of Errors and Appeals.
3. The Union Iron Works near Amwell was used as a prison during the war.
4. The Board of War, created as "A Board of War and Ordinance" in June 1776, supervised military affairs for the Congress.
5. John Allen, owner of the Union Iron Works. Allen had been a member of the Provincial Congress in 1775.

8 The Magistrates of Trenton to General George Washington

[George Washington Papers, ser. 4, reel 46, Presidential Papers Microfilm Series (Library of Congress).]

The burdens imposed by bivouacking soldiers fell most heavily upon local governmental officials. Morristown, site of Washington's winter encampments in 1777 and 1779-1780, and the strategically located towns of Elizabethtown, New Brunswick, and Trenton were especially inconvenienced by troop concentrations. But few communities along the central corridor from New York City to Philadelphia went long without hosting a military detachment. As the appeal from Trenton magistrates to General Washington reveals, communities wanted the army nearby for protection, but not so near as to cause overcrowding,