

## VIII THE LOYALIST OPPOSITION

2. Harrison Wells of Greenwich. His 100-acre farm and grist mill were also confiscated and sold in March 1779.

3. Quaker John Hinchman, former assemblyman, who joined the British at Philadelphia in 1778. His property was subsequently confiscated and sold. After a wartime exile in Nova Scotia, he returned to his native New Jersey where he lived out his days amid social ostracism and verbal abuse.

4. Actually sixteen; Symmes omits the name of Gideon Urine.

5. Nothing is known of Hammet other than what Symmes relates here.

6. Sir William Blackstone, whose *Commentaries on the Laws of England* (4 vols., Oxford, 1765-1769; American edition, Philadelphia, 1771-1772) was the basic text for American lawyers well into the nineteenth century.

### 11 A Writ Ordering the Sale of Confiscated Property in Monmouth County

[Broad­sides and Letters, Monmouth County, New Jersey: Commissioners for Forfeited Estates Writs, Alexander Library, Rutgers University.]

The state took care to follow elaborate procedures in confiscating and selling the property of Loyalist refugees. In April 1778 the legislature set down the process whereby a person could be convicted of treason in absentia. Three commissioners were appointed in each county to gather information concerning the treasonous activities of an individual (resident or in exile) and to present the evidence to a jury summoned by a justice of the peace. If the defendant was judged guilty, the jurors advertised their decision publicly in the form of an inquisition. The inquisition was then turned over to the court of common pleas, which had jurisdiction over civil cases, and the accused was given a final opportunity to challenge the verdict. If the decision went uncontested—and it invariably did—the court issued a writ ordering the commissioners to dispose of the property at auction under the terms of an act passed in December 1778 which directed the sale of “the Lands, Tenements, Hereditaments and Real Estates” of convicted Loyalists. The writ below is typical of the hundreds of such orders issued from December 1778 to June 1781, when the sale of confiscated property was temporarily suspended because of the grossly inflated currency then in circulation.

[April 29, 1779]

*Monmouth County*,<sup>1</sup> to wit,

The State of New-Jersey to *Samuel Forman, Joseph Lawrence, Kenneth*

## NEW JERSEY IN THE AMERICAN REVOLUTION

*Hankinson & Jacob Wikoff Esqrs.*, Commissioners, duly appointed for the said County, on the Part and Behalf of the said State, do take and dispose of, for the Use and Benefit of the same, the Estates of certain Fugitives and Offenders in the said County, or to any two or more of them, Greeting:

Whereas lately, that is to say, of the Term of *April* in the Year of our Lord, One Thousand Seven Hundred and Seventy *Nine*, in the Court of Common-Pleas held at *Freehold* in and for the said County of *Monmouth* before the Judges of the same Court, final Judgment was had and entered in Favour of the said State of New-Jersey, pursuant to Law, against *Joseph Leonard* late of *the Township of Middletown* on an Inquisition found against the said *Joseph Leonard* for *joining the Army of the King of Great Britain and otherwise offending against the form of his Allegiance to the said State &c.* and returned to the said Court, as may fully appear of Record: You are therefore commanded and enjoined to sell and dispose of all the Estate Real, of what Nature or Kind soever, belonging, or lately belonging to the said *Joseph Leonard* within the said County of *Monmouth* according to the Directions of an Act for forfeiting to, and vesting in, the State of New-Jersey, the Real Estates of certain Fugitives and Offenders, made and passed the eleventh Day of December, in the Year of our Lord, One Thousand Seven Hundred and Seventy-eight.<sup>2</sup>

Witness *John Anderson Esqr.* Judge of the said Court, at *Freehold Af[ore]s[ai]d* the *twenty ninth* Day of *April* in the Year of our Lord, One Thousand Seven Hundred and Seventy *nine*.

By the Court,  
*ANDERSON Cl[er]k*<sup>3</sup>

1. The writ was a printed form which provided space for court officials to fill in data concerning individual cases; italics have been used here to indicate handwritten information.

2. The May 5, 1779, issue of the *New-Jersey Gazette* carried an announcement dated May 3 notifying the public that the personalty and realty of Joseph Leonard and other convicted Loyalists would be sold at vendue at the house of Cornelius Swort in Middletown on June 28 at 10 a.m. On February 23, 1780, the *Gazette* ran another notice, dated February 21, which announced that "a small farm" belonging to Leonard would be auctioned at the home of Daniel Randolph in Freehold at 9 a.m. on March 28.

3. Kenneth Anderson, Jr.

## 12 Samuel Ryerse to George Ryerse

[Ryerson Family Papers, Alexander Library, Rutgers University.]

The attention lavished upon those who fought for American independence