

*New Jersey in the  
American Revolution, 1763-1783  
A Documentary History*

~~Constitution of New Jersey~~  
~~by the Legislature of the State~~

1.

# Constitution of New Jersey.

We know all the constitutional Authority, ever possessed by the Kings of Great Britain over these Colonies, or their their Colonies, was, by Compact, derived from the People, and held of them for the common Interests of the whole Society. Kings and Colonies are, in the Nature of Things, reciprocal, each equally depending upon the other, and liable to be affected by the other's being refused or withheld. And whereas George the third, King of Great Britain, has refused Protection to the good People of these Colonies; and, by affecting to justify the Acts of the British Parliament, attempted to subject them to the absolute Dominion of that Body; and has also enacted Laws upon them in the most cruel and unchristian Manner, for no other Cause than affecting their just Rights, all civil Authority under him is necessarily at an End, and a Dissolution of Government in each Colony has consequently taken Place.

And whereas in the present State of Liberty of these Colonies, notwithstanding the Want of a civil Government, some Form of Government is absolutely necessary, not only for the Preservation of good Order, but also to more effectually to unite the People, and enable them to exert their whole Force in their own necessary Defence; and as the same will be beneficial to the Colonies, the Supreme Council of the American Colonies, have advised that of the Colonies, we have not yet gone into the

JOSEPH CRILLEY

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*New Jersey in the  
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1763-1783,  
A Documentary History.*

EDITED BY  
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# Contents

|   |          |
|---|----------|
| Preface   | xiii     |
| Abbreviations   | xix      |
| <b>I. Reform and Resistance</b>   | <b>1</b> |
| 1. Daniel Coxe to Joseph Reed, April 12, 1764   | 5        |
| 2. The New Jersey Committee of Correspondents to Joseph Sherwood, September 10, 1764                      | 7        |
| 3. Robert Ogden to Samuel White, June 20, 1765  | 9        |
| 4. "Caesariensis" on Stamp Collectors and the Stamp Act Congress, September 3, 1765                       | 10       |
| 5. Richard Stockton to Robert Ogden, September 13, 1765   | 12       |
| 6. "A. Lawyer" [Elias Boudinot] on the Suspension of Legal Proceedings, October 1765                      | 14       |
| 7. Cortlandt Skinner to Thomas Boone, October 5, 1765   | 16       |
| 8. The Essex County Stamp Act Resolves, October 25, 1765  | 18       |
| 9. "The Effigy of a Wretch" Hanged in New Brunswick, October 29, 1765                                     | 19       |
| 10. Copy of a Letter from Trenton in New Jersey, November 5, 1765   | 20       |
| 11. The Stamp Act Resolves of the New Jersey Assembly, November 30, 1765                                  | 22       |
| 12. "A Lover of Liberty" to the Woodbridge Sons of Liberty, February 1766                                 | 24       |
| 13. The Resolutions of the Woodbridge Sons of Liberty, February 26, 1766                                  | 27       |
| 14. Richard Smith to the Committee of Correspondence of the New York City Sons of Liberty, March 15, 1766 | 28       |

## CONTENTS

|   |    |
|---|----|
| 15. Woodbridge Celebrates the Repeal of the Stamp Act, June 5, 1766   | 30 |
| <b>II. Taxes and Troops</b>   |    |
| 1. Richard Stockton to Samuel Smith, March 21, 1767   | 34 |
| 2. British Soldiers Riot in Elizabethtown, July 27, 1767  | 38 |
| 3. Samuel Allinson to David Cooper, January 1, 1768   | 40 |
| 4. The Petition of the New Jersey Assembly to George III, May 6, 1768   | 42 |
| 5. Governor William Franklin to Lord Hillsborough, November 23, 1768  | 44 |
| 6. Residents of Gloucester County to Robert Friend Price and John Hinchman, October 3, 1769                             | 46 |
| 7. The Resolution of the New Jersey Assembly Supporting the Boycott to Oppose the Townshend Duties, October 18, 1769    | 48 |
| 8. The Address of the Magistrates, Freeholders, and Inhabitants of New Brunswick to Major Charles Preston, May 14, 1770 | 49 |
| 9. The Essex County Nonimportation Resolves, June 5, 1770   | 50 |
| 10. Protest Activities at the College of New Jersey, July, 1770   | 52 |
| 11. Public Coercion of Importers in Middlesex County, August 1770   | 53 |
| 12. The Mansfield Township Resistance Resolutions, August 13, 1770  | 55 |
| 13. "Cethegus" on Nonimportation, September 25, 1770  | 57 |
| 14. Hunterdon County Freeholders to John Hart and Samuel Tucker, May 1771   | 59 |
| 15. Aaron Learning to his Cape May Constituents, May 26, 1771   | 61 |
| <b>III. The Common Cause</b>  |    |
| 1. The Committee of Correspondence of the New Jersey Assembly to the Boston Committee of Correspondence, May 31, 1774   | 67 |
| 2. The Essex County Resolves on the Boston Port Act, June 11, 1774  | 69 |
| 3. James Kinsey to Elias Boudinot, June 14 and July 2, 1774   | 73 |
| 4. The Resolves of the New Brunswick Convention, July 23, 1774  | 76 |
| 5. "B. N." on the Continental Congress, July 25, 1774   | 78 |
| 6. "Z" on the Nature of the Imperial Controversy, July 29, 1774   | 82 |
| 7. The Reverend John Witherspoon, "Thoughts on American Liberty," August 1774   | 85 |
| 8. Samuel Allinson to Patrick Henry, October 17, 1774   | 87 |
| 9. The Essex County Grand Jury to Chief Justice Frederick Smyth, November 1, 1774                                       | 89 |
| 10. "Z" on the Continental Congress, November 19, 1774  | 91 |
| 11. The Call for the Election of Essex County Committees of Observation, November 28, 1774                              | 95 |
| 12. The Elizabethtown Association Resolutions, December 6, 1774   | 97 |
| 13. Governor William Franklin to Lord Dartmouth, December 6, 1774   | 99 |

## CONTENTS

|  |     |
|--|-----|
| 14. The Cumberland County Committee Proceedings on the Green-which Tea Party, December 22-23, 1774     | 100 |
| 15. "A Freeholder" to the Essex County Committee, January 5, 1775                                      | 102 |
| <br>   |     |
| <b>IV. The Die is Cast</b>   | 105 |
| 1. "Y" to "Z" on Political Apostasy, January 5, 1775   | 106 |
| 2. Governor William Franklin to the General Assembly, January 13, 1775                                 | 109 |
| 3. <i>The Testimony of the People Called Quakers</i> , January 24, 1775                                | 111 |
| 4. The New Jersey Assembly's Endorsement of the Action of the Continental Congress, January 24, 1775   | 113 |
| 5. "A Jersey Farmer" Proposes a Loyalist Association, January 26, 1775                                 | 114 |
| 6. The Nottingham Petition to the Legislature, January 30, 1775  | 115 |
| 7. The New Jersey Assembly's Petition of Grievances to George III, February 13, 1775                   | 117 |
| 8. John Hatton, Jr., to Thomas Hatton, February 17, 1775   | 120 |
| 9. "Essex" to "D.C." on Intercolonial Unity, March 25, 1775  | 125 |
| 10. Chief Justice Frederick Smyth to the Middlesex County Grand Jury, April 4, 1775                    | 127 |
| 11. Elias Boudinot to the Morris County Committee, April 30, 1775                                      | 132 |
| 12. Jemima Condict on the Outbreak of Warfare, October 1, 1774-May 1, 1775                             | 134 |
| 13. Jonathan Elmer, Address to the Inhabitants of Cumberland County, May 1775                          | 135 |
| 14. The Bergen County Association, May 12, 1775  | 139 |
| 15. Charles Clinton Beatty to Elizabeth Beatty, May 28, 1775   | 140 |
| <br>   |     |
| <b>V. From Resistance to Rebellion</b>   | 142 |
| 1. The New Jersey Provincial Association, May 31, 1775   | 143 |
| 2. "A Jersey Farmer" on Securing the Rights of Englishmen, June 14, 1775                               | 145 |
| 3. Minutes of the Shrewsbury Township Committee, June 19, 1775-February 29, 1776                       | 147 |
| 4. Daniel Coxe to Cortlandt Skinner, July 4, 1775  | 151 |
| 5. Richard Cayford Proclaimed "An Enemy to the Rights of America," July 22, 1775                       | 153 |
| 6. John Conway to the Provincial Congress, July 31, 1775   | 153 |
| 7. Governor William Franklin to Lord Dartmouth, August 2, 1775   | 155 |
| 8. Charles Pettit to Joseph Reed, August 10, 1775  | 156 |
| 9. Enforcement of the Association in Sussex County, August 10-11, 1775                                 | 158 |
| 10. A Burlington County Petition to the Legislature on Reconciliation, November 1775                   | 160 |
| 11. John De Hart to the General Assembly, November 13, 1775  | 161 |
| 12. The Reverend Philip Vickers Fithian Describes the Martial State of South Jersey, November 13, 1775 | 163 |

## CONTENTS

|  |     |
|--|-----|
| 13. The New Jersey Assembly Resolves Against Independence, November 28, 1775   | 164 |
| 14. Cortlandt Skinner to William Skinner, December 1775  | 165 |
| 15. "Lycurgus" on Independence, December 4, 1775   | 167 |
| 16. Thomas Randolph Tarred and Feathered, December 6, 1775   | 169 |
| 17. The Recantation of Ezekiel Beach, December 23, 1775  | 170 |
| 18. A Tory Roundup in Sussex County, December 26, 1775   | 171 |
| <b>VI. Empire or Independence</b>  | 172 |
| 1. The "Plain Dealer" on Political Divisions, January 2, 1776  | 174 |
| 2. The Political Creed of "Shary O'Brion," January 22, 1776  | 175 |
| 3. The Salem County Petition to the Provincial Congress on Suffrage Reform, February 1776                              | 178 |
| 4. Joseph Brearley to David Brearley, March 7, 1776  | 179 |
| 5. Charles Pettit to Joseph Reed, March 25, 1776   | 181 |
| 6. [Ebenezer Elmer?], Valedictory Address to Captain Joseph Bloomfield's Company of Continental Forces, March 26, 1776 | 183 |
| 7. Chief Justice Frederick Smyth to the Middlesex County Grand Jury, April 1776  | 186 |
| 8. The Middlesex County Grand Jury to Chief Justice Frederick Smyth, April 1776  | 190 |
| 9. "Cimon" on the Necessity of Independence, April 1776  | 192 |
| 10. Elias Boudinot versus John Witherspoon on Independence, April 18, 1776   | 195 |
| 11. The Reverend John Witherspoon, "On the Controversy About Independence," April-May 1776                             | 198 |
| <b>VII. From Colony to State</b>   | 201 |
| 1. John Stevens to Governor William Franklin, June 1776  | 202 |
| 2. A Loyalist Petition to the Provincial Congress Against Independence, June 1776                                      | 203 |
| 3. Elias Boudinot, "Thoughts on the present State of American Affairs," June 11, 1776                                  | 205 |
| 4. The Provincial Congress Orders the Arrest of Governor William Franklin, June 14-15, 1776                            | 209 |
| 5. The Instructions for the New Jersey Delegates in the Continental Congress to Vote for Independence, June 22, 1776   | 210 |
| 6. The Constitution of the State of New Jersey, July 2, 1776   | 212 |
| 7. Abraham Clark to Elias Dayton, July 4, 1776   | 218 |
| 8. Princeton and Trenton Celebrate American Independence, July 8-10, 1776  | 219 |
| 9. Joseph Barton to Henry Wisner, July 9, 1776   | 221 |
| 10. An Ordinance for Punishing Treason and Counterfeiting, July 18, 1776   | 222 |
| 11. Abraham Clark to Elias Dayton, August 6, 1776  | 223 |
| 12. Jonathan Elmer, Address to the Residents of Cumberland County, August 7, 1776                                      | 225 |

## CONTENTS

|   |     |
|---|-----|
| 13. Governor William Livingston to the New Jersey State Legislature, September 11, 1776       | 228 |
| <b>VIII. The Loyalist Opposition</b>  |     |
| 1. James Moody, The Making of a Loyalist, 1774-1777   | 234 |
| 2. The Reverend Thomas Bradbury Chandler, Flight into Exile, May 15-25, 1775                  | 237 |
| 3. "A Mechanic" to Bernardus La Grange, June 1776   | 239 |
| 4. The Reverend Jonathan Odell to the Reverend Thomas Bradbury Chandler, January 7, 1777      | 242 |
| 5. Tory Prisoners Describe Conditions in the Morris County Jail, July 1777                    | 246 |
| 6. Joseph Hedden, Jr., to Governor William Livingston, July 9, 1777                           | 248 |
| 7. William Franklin to Governor Jonathan Trumbull, September 15, 1777                         | 249 |
| 8. Robert Lawrence to the Legislature on Martial Law, October 7, 1777                         | 252 |
| 9. Robert Morris to Gouverneur Morris, December 11, 1777                                      | 254 |
| 10. John Cleves Symmes to Governor William Livingston, January 7, 1779                        | 256 |
| 11. A Writ Ordering the Sale of Confiscated Property in Monmouth County, April 29, 1779       | 259 |
| 12. Samuel Ryerse to George Ryerse, May 19, 1781  | 260 |
| 13. Governor William Livingston to Robert Livingston, April 22, 1782                          | 263 |
| 14. John Rutherford to A Member of the Legislature, May 17, 1783                              | 265 |
| 15. Hunterdon County Residents Petition to the Legislature to Banish Loyalists, 1783          | 268 |
| 16. The Monmouth County Association to Oppose the Return of Loyalists, 1783                   | 270 |
| 17. Bernardus La Grange, A Loyalist Testimonial, November 1783                                | 272 |
| 18. Cortlandt Skinner, The Odyssey of a Loyalist, March 25, 1784                              | 275 |
| <b>IX. War and Peace</b>  |     |
| 1. Margaret Morris, A Woman's View of the War, December 6, 1776-January 11, 1777              | 282 |
| 2. An Aide-de-camp to General Washington Recounts the Battle of Trenton, December 22-27, 1776 | 287 |
| 3. An Octogenarian Jerseyman Recalls the Battle of Princeton, January 1-3, 1777               | 291 |
| 4. The Reverend Alexander MacWhorter on British Brutality, March 12, 1777                     | 296 |
| 5. Ebenezer Hazard, Journey Through Wartorn New Jersey, August 5-14, 1777                     | 298 |
| 6. The Reverend Nicholas Collin on the Ravages of War, February-June 1778                     | 302 |
| 7. General George Washington Recounts the Battle of Monmouth Court House, July 4, 1778        | 306 |

## CONTENTS

|  |     |
|--|-----|
| 8. Colonel Sylvanus Seeley Describes the Battles of Connecticut Farms and Springfield, June 7-23, 1780 | 309 |
| 9. The Killing of Hannah Caldwell, June 7, 1780  | 312 |
| 10. "A British Officer" on Guerrilla Warfare, June 20, 1780  | 313 |
| 11. Residents of Trenton Celebrate the Victory at Yorktown, October 31, 1781                           | 314 |
| 12. Residents of Princeton Celebrate the End of the War, April 21, 1783                                | 317 |
| 13. William Peartree Smith to Elias Boudinot, April 1783   | 319 |
| 14. David Bonnel, Sr., Inventory of Property Losses, May 25, 1789                                      | 322 |

### **X. Citizen Soldiers** 325

|  |     |
|--|-----|
| 1. Philip Vickers Fithian to Elizabeth Fithian, July 19, 1776  | 326 |
| 2. Andrew Hunter, Jr., The Life of an Army Chaplain, August 6-September 1, 1776                                | 329 |
| 3. [William Churchill Houston?], The Campaign Journal of a Militiaman, November 29, 1776-June 30, 1777         | 332 |
| 4. Governor William Livingston to Brigadier General Philemon Dickinson, January 14, 1777                       | 336 |
| 5. A Woman in Arms, March 20?, 1777  | 337 |
| 6. Colonel Elijah Hand to Colonel Charles Mawhood, March 22, 1778  | 337 |
| 7. Colonel Joseph Ellis to Governor William Livingston, March 23, 1778   | 339 |
| 8. "Belinda" Encourages Women to Reject Reconciliation and Support the War, May 6, 1778                        | 340 |
| 9. Lieutenant Shepard Kollock to Colonel John Lamb, May 15, 1778   | 342 |
| 10. "Molly Pitcher" at the Battle of Monmouth Court House, June 28, 1778                                       | 343 |
| 11. Memorial of the Officers of the New Jersey Brigade to the Legislature, April 17, 1779                      | 344 |
| 12. Dr. James Thacher Describes the Hardships of the Winter Encampment at Morristown, December 1779-March 1780 | 345 |
| 13. Formation of a Women's Relief Society, July 4, 1780  | 348 |
| 14. Lieutenant Colonel Francis Barber to Colonel Jonathan Dayton, February 28, 1781                            | 350 |
| 15. John C. Post, Pension Petition to the Legislature, [undated]   | 352 |
| 16. Samuel Sutphen, Wartime Experience of a New Jersey Slave, ca. 1834   | 354 |

### **XI. Government at War** 361

|  |     |
|--|-----|
| 1. The New Jersey State Loyalty Oath, September 19, 1776                     | 363 |
| 2. John Bray to Andrew Bray, December 17, 1776                               | 364 |
| 3. A Bergen County Oath of Allegiance, January 28, 1777                      | 365 |
| 4. General George Washington to the New Jersey Legislature, January 31, 1777 | 366 |

## CONTENTS

|  |            |
|--|------------|
| 5. Governor William Livingston, Speech to the Legislature on the State of the State, February 25, 1777   | 368        |
| 6. Thomas Powell on Inflation, August 15, 1777   | 373        |
| 7. Governor William Livingston to John Hancock, October 4, 1777  | 374        |
| 8. The Magistrates of Trenton to General George Washington, January 2, 1778                              | 375        |
| 9. Residents of Cape May to Governor William Livingston, March 10, 1778                                  | 377        |
| 10. Samuel Allinson to Governor William Livingston, July 13, 1778  | 379        |
| 11. Governor William Livingston to Samuel Allinson, July 25, 1778  | 384        |
| 12. General George Washington to Governor William Livingston, March 3, 1779                              | 387        |
| 13. Colonel John Taylor to Governor William Livingston, September 25, 1779                               | 389        |
| 14. Abraham Skinner to Governor William Livingston, September 9, 1780                                    | 391        |
| 15. Essex County Residents to the General Assembly on Tory Raiders, 1781?                                | 393        |
| 16. Residents of Monmouth County to the General Assembly on the State of the Economy, May 12, 1781       | 395        |
| 17. Residents of Monmouth County to the General Assembly on Vigilantism, December 1781                   | 397        |
| 18. Residents of Essex County to the General Assembly on Trade with the Enemy, [undated]                 | 399        |
| <br>   |            |
| <b>XII. An Imperfect Union</b>   | <b>402</b> |
| 1. John Witherspoon, Speech in the Continental Congress on the Necessity of Confederation, July 30, 1776 | 404        |
| 2. New Jersey Legislature, Proposed Amendments to the Articles of Confederation, June 15-16, 1778        | 407        |
| 3. Nathaniel Scudder to John Hart, July 13, 1778   | 412        |
| 4. New Jersey Legislature, Ratification of the Articles of Confederation, November 20, 1778              | 415        |
| 5. John Fell to Governor William Livingston, March 25, 1779  | 416        |
| 6. "A True Patriot" on Increased National Authority, February 8, 1781                                    | 418        |
| <br>   |            |
| <b>XIII. The Spirit of '76</b>   | <b>420</b> |
| 1. Isaac Collins Announces the First Newspaper in New Jersey, December 5, 1777                           | 423        |
| 2. "Cato" on the Characteristics of Representatives, January 7, 1778                                     | 425        |
| 3. "Cato" on the "Importance of a Liberal Education to Civil Society," January 14, 1778                  | 427        |
| 4. "An Elector" Compares the British and American Systems of Government, March 4, 1778                   | 429        |

## CONTENTS

|  |     |
|--|-----|
| 5. "Hortentius" [William Livingston] Satirizes the British Political System, September 9, 1778       | 431 |
| 6. John Cooper Advocates the Abolition of Slavery, September 20, 1780                                | 437 |
| 7. "A Freeman" on the Electoral Process as a Safeguard of Liberty, October 4, 1780                   | 440 |
| 8. "A Whig" Opposes the Manumission of Slaves, October 4, 1780                                       | 442 |
| 9. "A Friend to Justice" Supports the Manumission of Slaves, November 8, 1780                        | 445 |
| 10. "Homo Sum" Advocates Gradual Emancipation Rather than Immediate Abolition, March 21, 1781        | 448 |
| 11. The Reverend John Witherspoon on the Relationship Between Religion and Civil Society, April 1783 | 452 |
| 12. Governor William Livingston on the Republican Challenge, May 19, 1783                            | 455 |
| 13. Ashbel Green, Sr., to Ashbel Green, Jr., June 26, 1840   | 456 |
| Index  | 463 |

## *Preface*

During the nearly two hundred years that have passed since the formal declaration of independence in July 1776, historians have written countless books and articles concerning the creation of the American republic. As a result, we surely know more about the American Revolution than any other national rebellion in history. And yet, ironically, as our comprehension of the Revolution increases, our appreciation of what that momentous event meant to individual members of the revolutionary generation wanes. Thus on the eve of the Bicentennial of American independence, the general public knows a great deal about the causes, course, and consequences of the Revolution but relatively little about the hopes and fears, triumphs and tribulations of a people who lived through nearly three decades of rebellion, warfare, and nation-building. The available literature offers detailed and sophisticated analyses of virtually every aspect of the Revolution, but only infrequently allows modern readers to experience vicariously the temper of the times or to develop a sense of intimacy with and empathy for the men and women of the Revolution. The problem is twofold. Biographies, attempts to personalize the revolutionary experience, are limited by resources to a small leadership elite—the Jeffersons, Franklins, Washingtons—to the exclusion of the average citizen upon whom the ultimate success of the Revolution depended. More important, we have come to rely upon what historians tell us happened rather than reading the historical record for ourselves.

As the historian knows, it is only through an examination of the records of the past—the writings of those who lived during the latter third of the eighteenth century—that one can begin to understand the nature and meaning of the American Revolution. Although historical studies enhance our knowledge of the Revolution by systematically ordering, analyzing, and interpreting vast quantities of material, there is no substitute for reading what contemporaries

## PREFACE

themselves had to say about the world in which they lived. Histories are not history: we can never recover the sights and sounds of the past. But we can recapture the views of a surprisingly large segment of the revolutionary generation. Knowingly or not, in their personal writings they spoke to posterity. Neither professional journalists reporting for the record nor historians interpreting events for the edification of future generations, they were just ordinary people who, for whatever reasons, penned accounts of their participation in and reaction to the events of their day. Like people at any time and any place, they were both impartial and prejudiced, knowledgeable and uninformed, candid and dishonest. However imperfect, such documentary evidence is the stuff from which histories are made and the key to a proper understanding of the Spirit of '76.

This volume provides a convenient compilation of documents basic to an understanding of the American Revolution in New Jersey. Materials have been selected from the widest possible range of sources—correspondence, diaries, memoirs, newspapers, broadsides, town records, committee minutes, legislative journals. (Pamphlet literature has been excluded because of limitations of space.) The documents are divided into two general portions: the coming of the Revolution and the War for Independence. The first seven sections, chronologically unfolding the origins and course of the rebellion, constitute a documentary history; the last six consist of a collection of documents illustrative of the development of selected topics. More specifically, the volume focuses upon the evolution of the protest-independence movement, the transition from royal to republican government, the maintenance of civil authority during time of war, the division between rebel and royalist, the travails of warfare, and the experiment in self-government at the state and national levels under the Articles of Confederation. The emphasis throughout is less upon public events (e.g., battles) and policies (e.g., laws) than upon the personal reactions of individuals and communities to the revolutionary experience.

This compendium is designed to meet the needs of both research scholars and general readers. For the historian, the volume makes readily available materials previously printed in a variety of publications as well as records from diverse archives that either have never been published or have not been reprinted since original publication in newspapers or contemporary tracts. For the layman, the documents will hopefully provide greater appreciation of our revolutionary heritage by making available the important records of the day, by viewing the Revolution from the perspective of participants rather than modern historians, and by enabling each reader to evaluate the documents and thus become his own historian.

The editor of historical documents faces an initial crucial decision: whether to render a faithful transcription of the original document or to make textual alterations in accordance with modern language standards. The rationale for the former procedure is threefold: the historian has an obligation to present the records of the past as they were written instead of as he would have them written; the archaic and variant spellings along with vagaries of syntax meaningfully impart the flavor and style of a bygone era; any modification of a document leads logically to a complete modernization of the text. On the other hand, advocates of the latter method contend that authenticity is not

## PREFACE

synonymous with antiquarianism (does use of the ampersand instead of the word *and* matter?); that documents are printed for the use of contemporaries and ought therefore to be readily intelligible to modern readers (who would or could read Shakespeare in the original?); and that, after all, the substance of a document is more important than its structure. Ultimately, editorial policy must be determined by the primary purpose of a documentary project.

Because this collection is intended for the use of general readers as well as scholarly investigators, I have endeavored to provide reproductions of documents that are both readable and reliable. No attempt has been made to impose artificial consistency upon the selections. Save for minor editorial revisions, previously published documents appear here as first printed; manuscripts conform to the originals. Most texts are presented in full; deletions are indicated by either an ellipsis (. . .) or an explanatory note enclosed in brackets. The terms "illegible" and "torn" enclosed in brackets indicate, respectively, undecipherable words and missing portions of a manuscript. Despite the temptation to "improve" upon another's writing, I have "corrected" neither syntax nor spelling, even in the often irregular phonetic renditions of proper names. However, obvious typographical errors in printed materials have been silently corrected. Alterations in punctuation have been made only when deemed necessary to clarify especially convoluted prose. Confusing or unconventional abbreviations and contractions have been expanded. When necessary the first letters of sentences have been capitalized and terminal punctuation added; similarly, periods have been supplied for all abbreviations (Mr. for Mr). Superscript letters have been reduced to line, dashes used either for ornamentation or in lieu of periods have been removed, italics used for effect instead of emphasis have been deleted, and capitalized or italicized salutations in published documents have been reduced to lower case or set in roman type. The dateline, salutation, and complimentary close of correspondence remain in their original form; in all cases datelines appear at the heads of letters. Readers will no doubt find inconsistencies, perhaps even contradictions, in the editing of this volume. Notwithstanding general guidelines, I have opted for flexibility in editing each document according to its individual characteristics rather than imposing rigid, arbitrary standards upon the entire collection.

Because this volume is intended for use by persons who have little or no prior knowledge of revolutionary New Jersey, the editorial apparatus is rather elaborate. Headnotes provide context for individual documents, while footnotes explain textual material that might be unfamiliar to the general reader. The numerous cross-references facilitate placing the selections in the proper historical contexts; repetition of information in footnotes enables readers to comprehend each document independently. The brief introductions to each section are meant to serve only as guides to the documents and not as a concise history of New Jersey in the American Revolution.

Readers who wish to explore further the history of revolutionary New Jersey may draw upon a wealth of material. The following general studies are especially recommended: Richard P. McCormick, *New Jersey from Colony to State, 1609-1789* (Princeton, 1964) and John E. Pomfret, *Colonial New Jersey: A History* (New York, 1973), for the Revolution seen from the perspective of the

## PREFACE

colonial era; Larry R. Gerlach, *Prologue to Independence: New Jersey in the Coming of the American Revolution* (New Brunswick, 1975), for the origins of the Revolution; Leonard Lundin, *Cockpit of the Revolution: The War for Independence in New Jersey* (Princeton, 1940), Alfred Hoyt Bill, *New Jersey and the Revolutionary War* (Princeton, 1964), and David A. 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), for the wartime experience of the state; and Richard P. McCormick, *Experiment in Independence: New Jersey in the Critical Period, 1781-1789* (New Brunswick, 1950) for the period of the Confederation government through the adoption of the federal Constitution. Those who wish to delve deeper into documents will want to consult the massive collection of sources compiled by William A. Whitehead, et al., *Archives of the State of New Jersey*, First and Second Series (48 vols., Newark and elsewhere, 1880-1949). Germane to the Revolution are "Documents Relating to the Colonial History of the State of New Jersey, 1757-1776," 1st ser., 9-10; "Journal of the Governor and Council, 1756-1775," 1st ser., 17-18; and "Extracts from American Newspapers Relating to New Jersey, 1762-1782," 1st ser., 25-29 and 2d ser., 1-5. Also valuable are the *Minutes of the Provincial Congress and the Council of Safety of the State of New Jersey* (Trenton, 1879); *Minutes of the Council of Safety of the State of New Jersey* (Jersey City, 1872); *Selections from the Correspondence of the Executive of New Jersey, from 1776 to 1786* (Newark, 1848); and David A. Bernstein, ed., *Minutes of the Governor's Privy Council: 1777-1789* (Trenton, 1974).

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## PREFACE

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University of Utah  
October 1974

# Abbreviations

## List of Abbreviations and Shortened References to Published Sources

- American Archives* Peter Force, comp., *American Archives* . . . (9 vols., Washington, D.C., 1837-1853).
- Executive Correspondence* *Selections from the Correspondence of the Executive of New Jersey, from 1776 to 1786* (Newark, 1848).
- Journals of the Continental Congress* Worthington C. Ford, et al., eds., *Journals of the Continental Congress, 1774-1789* (34 vols., Washington, D. C., 1904-1937).
- NJA* William A. Whitehead, et al., eds., *Archives of the State of New Jersey*. First and Second Series (48 vols., Newark and elsewhere, 1880-1949).
- PCCS Minutes* *Minutes of the Provincial Congress and the Council of Safety of the State of New Jersey* (Trenton, 1879).
- PNJHS* *Proceedings of the New Jersey Historical Society* (1845-1966). Title changed in 1967 to *New Jersey History*.
- Rivington's New-York Gazetteer* *Rivington's New-York Gazetteer; or, the Connecticut, New-Jersey, Hudson's-River, and Quebec Weekly Advertiser*.

*Votes and Proceedings*

*Votes and Proceedings of the General Assembly of the Province [State] of New Jersey.* The minutes of the lower house of the legislature published under various titles and in various places after the conclusion of the legislative sessions. Herein the title will be given uniformly as *Votes and Proceedings* followed by the dates of the session and the place of publication.

*Works of John Witherspoon*

John Witherspoon, *The Works of John Witherspoon* (9 vols., Edinburgh, 1804).

*Writings of George Washington*

John C. Fitzpatrick, ed., *The Writings of George Washington* (39 vols., Washington, D. C., 1931-1944).

