STUDIES IN HISTORY, ECONOMICS AND PUBLIC LAW; EDITED BY THE FACULTY OF POLITICAL SCIENCE OF COLUMBIA UNIVERSITY; LOYALISM IN NEW YORK DURING THE AMERICAN REVOLUTION, VOLUME XIV, NUMBER 1

Published @ 2017 Trieste Publishing Pty Ltd

#### ISBN 9780649077700

Studies in history, economics and public law; edited by the faculty of political science of columbia university; Loyalism in New York during the American revolution, Volume XIV, Number 1 by Alexander Clarence Flick

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd. Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

## **ALEXANDER CLARENCE FLICK**

PUBLIC LAW; EDITED BY THE FACULTY
OF POLITICAL SCIENCE OF
COLUMBIA UNIVERSITY; LOYALISM IN
NEW YORK DURING THE AMERICAN
REVOLUTION, VOLUME XIV, NUMBER 1



## STUDIES IN HISTORY, ECONOMICS AND PUBLIC LAW

EDITED BY THE FACULTY OF POLITICAL SCIENCE OF COLUMBIA UNIVERSITY

Volume XIV]

[Number 1

# LOYALISM IN NEW YORK

DURING THE

# AMERICAN REVOLUTION

BY

## ALEXANDER CLARENCE FLICK, Ph.D.,

Sometime University Fellow in History, Columbia University Professor of European History in Syracuse University



# New Dork THE COLUMBIA UNIVERSITY PRESS

THE MACMILLAN COMPANY, AGENTS LONDON: P. S. KING & SON





## CONTENTS

### CHAPTER I

#### RISE OF THE LOYALIST PARTY

PAGES

The religious and political side of loyalism-The loyalists were Americans, not Englishmen-The origin of the loyalist party-Officialism as a factor in loyalism-The "Leislerians" and the "Aristocrats"-The development of the colonial social-political groups-Zenger's trial, King's College controversy and the Stamp Act as party factors-Party changes from 1770 to 1774-The Continental Congress completes the organization of the loyalist party-The character and classes of loyalists.....

#### CHAPTER II

#### FINAL ORGANIZATION OF THE LOYALIST PARTY

Loyalist opposition to the Continental Congress-Efforts of the last general assembly for peace-The Provincial Convention opposed by the loyalists - Effect of Lexington on the loyalist cause - Work of the committee of one hundred-The general association made a test of the loyalists' position-The loyalists oppose the second Provincial Congress -Attitude of the loyalists toward separation from England-The Declaration of Independence gives final form to the loyalist party.....

37

#### CHAPTER III

## WAR AGAINST THE LOYALISTS

The treatment of the loyalists by the revolutionary government before August 3, 1775, and after-The disarming of all "non-associators"-The resolves of the Continental Congress of January 2, 1776-The committee on "intestine enemies" appointed in May, 1776-The work of the "standing committee" of July 9, 1776-The terror of the mob and ideas of liberty-The whigs and lovalists hate and abuse each other ....

58

#### CHAPTER IV

## COUNTY INQUISITORIAL ORGANIZATIONS

PAGES

Origin of the county and district committees—Relation of the lower boards to the higher ones—Action of the local committees before the act of August 3, 1775—Grounds for the arrest of loyalists—The various forms of punishment—Loyalists in Tryon county—Loyalists in Orange, Dutchess and Westchester counties—Loyalists in Queens and Richmond counties—Character of the various local committees.

78

## CHAPTER V

## ACTIVITY OF LOYALISTS SUBSEQUENT TO THE ISSUE OF THE DECLA-RATION OF INDEPENDENCE

Effect of the English occupation of southern New York on the loyalists—
English policy of arming the loyalists—Loyalists arm before the arrival of the British—"Tory plots"—Thousands of loyalists enlist under Howe —Governor Tryon made Major-General of the Provincial forces—Oliver De Lancey commissioned Brigadier-General—Roger's Rangers—Fear of the whigs—Activity of loyalists north of New York city—Effect of Burgoyne's campaign on the loyalists—Saratoga—Oriskany—Loyalists attack Schoharie in 1778, Chemung in 1779 and the Mohawk Valley in 1780-1—Number of loyalist troops in New York—Help given the British by loyalists who were not soldiers

95

#### CHAPTER VI

## COMMISSIONERS ON LOYALISTS, 1776-1781

Constitutional Convention called to organize a new state government-Effect on status of loyalists-Loyalist petitions to the new government -Whigs demand harsher treatment of loyalists-Resolution of July 16, 1776, defining citizenship and treason-Committees ordered to seize all obnoxious torics-Washington seizes them and sends them to Connecticut-Convention takes cognizance of loyalists-Committee on loyalists appointed September 21, 1776-Organization and work of the committee -Special committee to co-operate with General Schuyler-Treatment of loyalists-A new committee of three appointed December 31, 1776-Loyalists offered the oath of allegiance-Uprising of loyalists in Dutchess and Westchester counties, and in other parts of the state-A "Fleet prison" for the loyalists-Loyalists ordered to be tried by court-martial after March 31, 1777-Courts of over and terminer-Work of the commissioners on loyalists in 1777-A third committee on loyalists created April 3, 1778-Work of the committee till 1781-Oath of allegiance still the test of loyalism-County committees after July 4, 1776-None in southern New York-Their activity in northern New York .....

## CHAPTER VII

## CONFISCATION AND SALE OF THE PROPERTY OF THE LOYALISTS

AGE

Growth of the idea of confiscation of loyalist property-English precedents -First act of confiscation August 3, 1775-Scattered acts of confiscation -After July 4, 1776, confiscations become more numerous-Various orders about loyalist property-March 6, 1777, three paid commissioners appointed for each county north of New York city to sell the personal property of loyalists-Work of the commissioners-Dutchess county the best example-Sums realized-Difficult to reduce them to sterling values -Office abolished May 12, 1784-Real estate of loyalists held in trust before October 22, 1779-Act of October 22, 1779, attaints fifty-nine loyalists and declares their property forfeited-Commissioners of forfeiture appointed for each of the four districts-Forfeited estates sold in the middle district-Work of the commissioners in the western district-Sales in the eastern district-Disposal of loyalist property in the southern district-Sales made by the surveyor general after 1788-Sum realized by the state-Petitions to the legislature about property-Democratic results of these sales.....

135

## CHAPTER VIII

## THE EMIGRATION OF LOYALISTS

Loyalists oppose peace—Effort of England to provide for the loyalists in the treaty of peace—New York refuses to comply with the terms of the treaty—Act of May 12, 1784, disfranchising loyalists—Classes of New York loyalists—Loyalists who remain in New York—Loyalist refugees who return to their homes—Loyalists who leave the state forever—Their flight after 1774—They go to England, Canada and Nova Scotia—Their settlements in Nova Scotia—Their emigration to Canada—Numbers...

161

## CHAPTER IX

## TREATMENT OF THE LOYALISTS BY GREAT BRITAIN

Early promises of aid to loyalists—Treatment of loyalists by the military authorities—Assistance given to them by the civil powers—Treatment of loyalists in Canada and Nova Scotia before 1783—Effect of peace on their situation—After the war they receive lands, provisions, tools and seeds in Nova Scotia—Those who went to Canada were treated similarly—Offices given to prominent loyalists—Temporary help given to loyalists who fled to England before 1783—Committee to examine claims—Petitions for compensation for losses after the war—A commission appointed to examine them—Work of the commission—Two commissioners sent to British America—Results of the examinations—Amount received by New York loyalists

8	CONTENTS	[8
	APPENDIX	PAGES
t. Sales of forfaited estat	es in the southern district	
2. Sales of forfeited estat	es in the middle district	257
BIBLIOGRAPHICAL NOTE.	**************************************	273

97.



## CHAPTER I.

## RISE OF THE LOYALIST PARTY.

LOYALISM, as believed and practiced during the American revolution, had both a religious and a political side. It was based upon the fundamental teachings of Anglicanism, which made loyalty to the ruler and obedience to law religious duties.\(^1\) This did not mean abject submission to acts looked upon as blunders, or as being unjust. It was not \(^1\) non-resistance and passive obedience,\(^1\) for none upheld and used with more telling effect than the loyalists the sacred right of petition and remonstrance.\(^2\) Only when the issue came to be one between submission to the will of the king and parliament, as expressed in law, and resistance by rebellion or revolution, did religious duty enforce\(^1\)obedience. The political science of Anglicanism was, therefore, a fundamental principle in loyalism.

<sup>1</sup> Dr. Myles Cooper, the President of King's College and the recognized clerical leader of the loyalists in 1774, set forth this phase of loyalism best. God, he said, established the laws of government, ordained the British power and commanded all to obey authority. American Querist, etc., queries 90–100. "The laws of heaven and earth" forbade rebellion. To threaten open disrespect to government was "an unpardonable crime." A Friendly Address, etc., 5. "The principles of submission and obedience to lawful authority are inseparable from a sound, genuine member of the Church of England as any religious principles." That church had three homilies on obedience and six on rebellion. Its members prayed to be made loyal. The church was ashamed of those who disregarded these sacred principles. Ibid., 45–49.

<sup>1</sup>Dr. Myles Cooper asserted that subjects might remonstrate against unjust laws forced upon them. A Friendly Address, etc., 5, 43. Other loyalists took the same position. Chandler, What Think Ye of Congress Now?, 44-48.

9]