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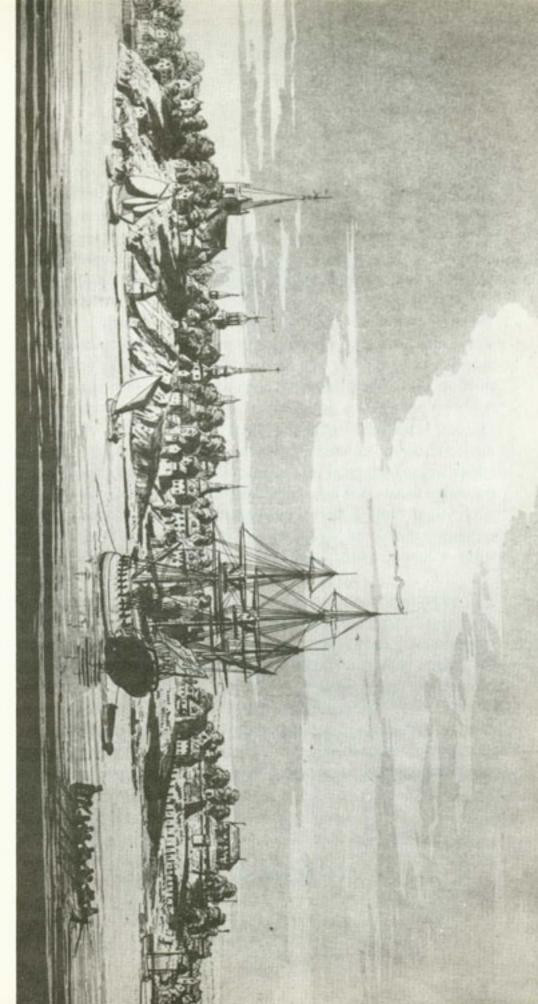
### **FOREWORD**

AT THE OUTBREAK of the American Revolution, New York City was a town of some 20,000 people situated at the southern tip of Manhattan Island. It was the second largest American city. Only Philadelphia was larger. Because of New York's location, it was hardly surprising that the British made it their first strategic target in 1776, and it was this small island city with its excellent harbor that was the primary British stronghold in America for the next seven years. No other American city was held so long by the British army.

An amazing assortment of people lived in New York City during the long years of occupation. For the British and German soldiers fighting the king's war, New York was a camp. Captured American soldiers were crowded into New York's military prisons or held on prison ships in the harbor. Loyalist refugees, some of them wealthy and important, many more of them ordinary people, found sanctuary from the ravages of the Revolution in New York City. Runaway slaves slipped into town hoping to escape bondage by supporting the British cause. These temporary residents are as much a part of New York City's story as those city inhabitants who remained during occupation.

The New York State American Revolution Bicentennial Commission is pleased to publish this narrative of New York City during the American Revolution. It is a story that should be read by anyone who seeks to understand the full significance of the war for American independence.

John H. G. Pell Chairman



A view of New York City from the northwest as it appeared before the Revolution. The tallest steeple is on Trinity Church, destroyed in the fire of September

1776. From the "Atlantic Neptune." Courtesy of the New-York Historical Society, New York City.

# Garrison Town

The British Occupation of New York City 1776-1783

By William A. Polf



New York State American Revolution Bicentennial Commission

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### CAPTURE AND FIRE

A FIRE BROKE OUT on Whitehall Street. The weather had been dry, and on this night, September 21, 1776, a strong wind was blowing from the south. Within minutes flames destroyed the warehouses and taverns on the waterfront and began to burn toward the northwest. Residents fled in panic. At Beaver Street, the flames halted briefly, but then, spurred by the wind, shot across the street. Shouts of "Fire!" aroused the whole town. People ran from the blazing buildings; bucket brigades were hastily organized.

Suddenly the wind shifted from the southwest to the southeast and pushed the flames across Broadway. Everything between Broadway and the Hudson River now lay in the fire's path. Cedar-shingle rooftops caught and flared. Sparks shot skyward; houses collapsed in flames. Now Trinity Church was burning, its steeple "a vast pyramid of fire." Crowds pulled down buildings to create firebreaks. Finally the spacious yards of King's College and St. Paul's Church provided a partial barrier. By midday the fire had been stopped at Barclay Street. During

the night a soldier nine miles away declared, "The heavens appeared in flames."

Nearly a quarter of the city lay in ruins. "Several women and children perished in the fire," reported one town newspaper. "Their shrieks, joined to the roaring of the flames, the crash of falling houses and the wide spread ruin which everywhere appeared, formed a scene of horror great beyond description, which was still heightened by the darkness of the night." It had been the most devastating fire in the city's history.

Had the fire been started deliberately? Certainly there was reason to think so. Five days earlier the British army had swept onto Manhattan Island trying to trap George Washington's forces and crush the eighteen-month-old American rebellion. New York City had been quickly occupied as Washington's army retreated northward. For months there had been rumors that the revolutionaries would burn the city if it could not be held. Washington's generals knew the danger of leaving it intact for the enemy. Some of them wanted it burned. True, the Continental Congress had ordered Washington not to burn the town. But Washington was aware that many of his men wanted to destroy the city, and he knew that he might not be able to control them if they decided to act. New York's loyalties were in doubt. The New England troops particularly regarded the city as a bastion of crown support. "That cursed town," wrote one New England officer, "from first to last has been ruinous to the common cause."

Little wonder that the British blamed the Americans for starting the blaze. Observers claimed that figures were seen scrambling across rooftops, setting fires. There were reports that rebel soldiers, dressed in civilian clothing and carrying combustibles, were caught and killed. A letter from New York to an English newspaper stated that a captured Continental army captain had admitted his complicity in starting the fire. He was unceremoniously



This map from Valentine's Manual of the Common Council of New York (1866) shows the area burned in the great fire of September 21, 1776. Another major fire in the wharf area in August 1778 is also shown. Courtesy of the New-York Historical Society, New York City.

hanged on September 22. The executed officer was probably a young Connecticut schoolteacher named Nathan Hale.

Certainly the milling crowds believed that the fire was deliberate. Several suspected incendiaries were seized and instantly killed. One man, caught carrying rosin-dipped matches, was hurled into the flames. Another was hung by his feet and bayonetted. A carpenter named White slashed at a woman who was fighting the fire; he was abruptly "hanged on a tavern sign-post."

The fire-ruined New York City of September 1776 was a compact seaport, concentrated in a mile-square area at the southern tip of Manhattan Island. City Hall now stands near what was then the edge of town. To the north, farms and woodlands covered most of Manhattan Island. Not many years before the Revolution, the future Revolutionary War general, Alexander McDougall, daily delivered milk and dairy products from his father's mid-Manhattan farm to New York City. Some of the great landed estates of the New York gentry lay within the boundaries of modern New York City.

Maritime New York City was the commercial hub of an extensive farming and village society. Trading vessels carried cargoes into the city from ports throughout the British Empire and left loaded with goods from the Hudson Valley, Long Island, New Jersey, and Connecticut. Throughout the eighteenth century New York City's population was the most heterogeneous on the American continent. As early as 1686 an English governor had reported that New Yorkers were a diversified group, speaking several languages and practicing a half-dozen religions. By 1776, Scots, Scotch-Irish, Germans, Africans (both slave and free), Jews, Frenchmen, Scandinavians, Spaniards, and Portuguese were added to the predominantly Dutch and English population. Most people lived along the narrow streets of the commercial

district in the southeastern part of town. Only the shifting of the wind on September 21, 1776, kept the fire from burning into the most densely populated part of the city.

The war of the American Revolution was nearly a year old before New York City residents realized that their city might be the next British target. New Yorkers had been jolted by the news of fighting at Lexington and Concord in April 1775. "Fear and panic seized many of the people, who prepared to move into the country," wrote one resident. But during 1775 the fighting was concentrated in Canada and at Boston. Temporarily the fear in New York subsided. The city's loyalties were uncertain. On the morning of June 25, 1775, crowds cheered General Washington as he passed through town to take command of the troops surrounding Boston, and later in the day, the streets were lined with people welcoming General William Tryon, the royal governor of New York, returning from England. It was unclear whether the town would support the revolutionary movement or the British effort to stop it.

In fact, New York's revolutionary partisans were having trouble persuading city residents to support the rebellion. The New York Provincial Congress, called at the request of the Continental Congress to replace the foundering royal government, also seemed to be dragging its feet, preferring reconciliation to war. Britain had a strong naval squadron in the harbor. On September 2, 1775, when the warship Asia bombarded the city to prevent the seizure of military equipment at the Battery, New Yorkers knew the British meant business. The Provincial Congress ordered rebel leaders to leave the Battery alone.

Washington's generals fumed over New York's apparent unwillingness to take sides. "For heaven's sake," an exasperated General Charles Lee wrote Alexander McDougall, "let your city no longer hold the honest in suspense by their shilly shally mode of conduct." In January 1776 Washington finally took the initiative. Lee

was ordered to occupy New York. Volunteer troops from Connecticut and New Jersey marched in as many residents fled. Hastily formed bands of New Yorkers joined the occupation troops. Lee warned the British: if British ships bombarded the town, one hundred loyalists would be executed. The ships held their fire.

While Lee was fortifying New York City, British Commander in Chief Sir William Howe was concluding that the British gained no strategic advantage by holding Boston. Challenged by Washington's Continental troops, his mobility limited, Howe decided to take his forces somewhere else. But where? New York City was the logical target. Situated closer to the midpoint of the American coast, New York City would be an excellent base for British naval power. From there Howe would have the option of striking north up the Hudson River, west into New Jersey and Pennsylvania, or south into Maryland, Virginia, and the Carolinas.

Howe's objective was clear in June 1776 when his navy appeared suddenly off Sandy Hook. He quickly occupied Staten Island in the face of only token resistance. For the next few days, New Yorkers watched the assembling of the largest expeditionary force ever sent to North America—32,000 well-armed, professional soldiers, ten ships of the line, twenty frigates, and nearly 170 transports of various sizes. Washington hurried across land from Boston. It was obvious that the heights at Brooklyn, just across the East River from New York City, held the key to the city's defenses. Washington placed his main force there.

Howe also understood the importance of Brooklyn Heights. During the night of August 22, 15,000 British troops landed on Long Island near the villages of New Utrecht and Gravesend. Five days later Howe slipped around the American left side and fell on the surprised rebel forces from behind. American General William Alexander fought a desperate delaying action while most of the American troops retreated to the breastworks on the

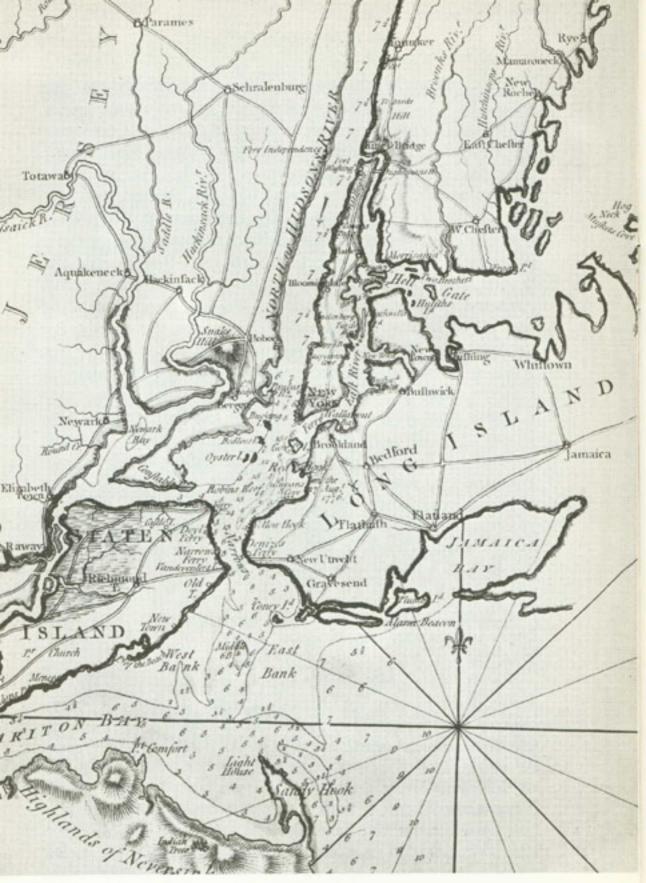
heights. Now Washington's army was clearly on the defensive. As Howe prepared for a siege, the rebel commander in chief abandoned the fortifications on Long Island and took his army across the river to Manhattan.

Again Howe outmaneuvered them. At midday, September 15, a furious naval barrage crashed into the rebel forces stationed along the shoreline of Kip's Bay, between present-day 34th and 42nd streets. Washington's ill-trained, poorly-equipped troops ran. British soldiers landed by the thousands, as the revolutionary army retreated northward in disorder, leaving New York City and all of southern Manhattan Island for the enemy. By the next day Washington had managed to reorganize his army, and the British drive was stopped at the battle of Harlem Heights. The Americans had gained some time.

Howe soon broke the stalemate at Harlem Heights. On October 12, British troops came ashore on the marshy ground at Pell's Point, near present-day Mamaroneck. Washington was forced to take his main army from Manhattan Island, leaving only a garrison at Fort Washington at the northern end of the island. The armies fought a sharp battle at White Plains on October 28; again the British advance was stopped. But Howe's forces were now overwhelming. On November 16, the British attacked Fort Washington, taking nearly 3,000 prisoners. Two days later, just across the Hudson River, Fort Lee fell, and Washington retreated into New Jersey.

Staten Island, Manhattan Island, and the eastern end of Long Island were in British hands. New York City, charred and depopulated, was now the command center of

the British war effort.



A section from a topographical map of New York by the well-known British mapmaker, Claude Joseph Sauthier, published in England in October 1776. Courtesy of the New York State Library, Albany.

### **GARRISON TOWN**

AS SOON AS THE BRITISH had secured their hold on Manhattan Island, Howe had to face the task of establishing order. He immediately made it clear that the army would govern; military needs would be best served by military government. The royal governor was ordered not to exercise his executive authority. Howe refused to convene either the provincial Assembly or the Governor's Council. The courts were closed. Those who held posts in the moribund provincial and city governments were allowed to retain their titles, but their offices no longer had official responsibilities. Instead, the city was governed by a military commandant who answered directly to the commander in chief. All of occupied New York, said one official bluntly, is "in fact a Garrison."

The immediate problem was to find living quarters for the army and the loyalist refugees fleeing to British protection from New York and neighboring colonies. Fortunately for those arriving, many houses and buildings had been left vacant by those going in the opposite direction. Just how many people had left town before the British capture is difficult to estimate. Most observers thought that only one-quarter to one-half of the city's people remained. Even so, New York City was soon crowded. Some of those who fled to avoid the fighting undoubtedly returned once order had been restored, swelling the influx of people into the city.

British authorities quickly moved troops into vacant buildings. Some refugees were assigned quarters in houses taken over by the army. Others rented rooms from residents. Housing soon became scarce for soldiers and civilians alike. Rents in private homes doubled, then doubled again. Refugees who had been given housing were sometimes moved out again to make way for troops. Churches and warehouses were converted into hospitals or prisons. Wealthy and well-connected crown supporters had little difficulty finding suitable housing. But the poorest refugees moved into the burned area on the west side of town, erecting tents and canvas shelters on the foundations of gutted buildings. Before long, this part of the city was called "Canvas Town." Even the seasons conspired against these refugees. Several of the winters during occupation were the coldest in memory.

Keeping the city supplied with food and fuel was a continuing concern. New York, a food exporter before the war, was now largely dependent upon agricultural imports from overseas. Convoys that brought food from Ireland and England were frequently delayed. Vessels heading toward New York City under the British flag had to be alert for American warships, privateers, and French men-of-war. Wartime shortages forced prices up. The cost of food rose drastically, despite efforts by the authorities to establish controls. Flour, which had sold for twenty shillings a barrel in 1775, cost seventy shillings by 1781. Beef rose from sixty-five shillings a barrel to eight pounds. Prices rose even more rapidly during 1778, when the French temporarily blockaded the New York coast. A barrel of pork, for instance, nearly doubled in cost

between February and November, rising from £5 10s. to £10. Other essential commodities were constantly in short supply. Oak wood, when available, tripled in price. The shortage of fuel was felt even by the wealthy, especially during the severe winter of 1779-1780, when the authorities were reduced to dismantling derelict vessels to

be burned by shivering residents.

Aside from food and fuel, supplies of most commodities were usually adequate. English manufacturers continued to send their products to be sold in New York. Residents rarely had difficulty buying anything from pots and pans to knee buckles and hair powder, if they could afford the price. Rum and molasses, staples of the eighteenth-century colonial trade, were almost always available. Since the flow of trade goods into New York City from the surrounding area had stopped, merchants were hard pressed to find exports to exchange for imported supplies. Imports often had to be paid for in specie, creating a constant drain on the supply of hard money in the city. The risks of wartime trade and the disruption of normal patterns of payment and exchange inevitably pushed prices up, often placing merchandise beyond the reach of city residents. Merchants were accused of profiteering or of withholding essential supplies until shortages occurred and prices were inflated.

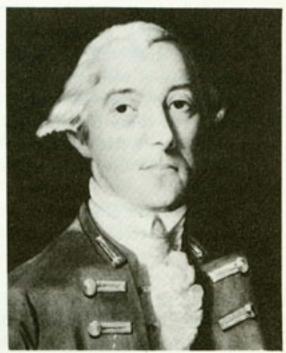
Despite the difficulties, most merchants prospered. If a merchant vessel could avoid capture and reach the city safely, the cargo was usually sold at a good profit. The war even brought some advantages that merchants had not enjoyed previously. Before 1776, cargoes of foreign-grown wine had to pay duties in England before being shipped to the colonies. During the war, the New York authorities allowed wine to be shipped directly into the city without first going to England to pay the required fees. In fact, a peculiarity of law prevented the customs officer in New York from collecting any duties at all. The Prohibitory Act of December 1775, which had imposed a ban on all



Sir William Howe



Sir Henry Clinton



Sir Guy Carleton

The three men who served successively as Commander in Chief of British Forces in North America. Each made decisions important to the well-being of occupied New York. Howe's portrait, by Charles Lefferts, is reprinted courtesy of the New-York Historical Society. The engraving of Clinton is by J. Stuart Rogers. M. B. Messer's painting of Carleton is in The Public Archives of Canada.

colonial trade in an effort to coerce the colonists into submission, also suspended the authority of customs officials to collect duties. Even though the trade ban was not enforced in occupied New York, the law itself remained on the books, preventing the collection of customs fees. A furor erupted in 1781 when England ordered the customs officer in New York to collect duties anyway, and Commander in Chief Sir Henry Clinton quickly reversed the order.

An even greater benefit of the war was the opportunity to prey on enemy shipping. Privateering was a standard feature of eighteenth-century warfare, and New York City residents exploited the situation to the fullest. In 1777, the military authorities were authorized to issue licenses known as "letters of marque and reprisal" for privateering. New York City soon became the home port of hundreds of privately-operated warships. Capturing American and French ships was a lucrative business. During the six months between September 1778 and March 1779 alone, 165 vessels worth more than £600,000 were brought into New York. So attractive did the profits become that many merchants abandoned ordinary trade for privateering. Sailors were lured away from naval ships by the promise of shares in captured cargoes. The city as well as the privateers benefitted when ships carrying food were seized. One official stated that the city's supplies of white sugar and coffee came almost entirely from captured ships.

Short supplies and high prices encouraged smuggling, black marketing and illegal trading with the enemy. Rum and molasses, plentiful in New York City, were scarce beyond British lines. Rebels readily traded beef and flour for rum smuggled into American-held areas. Cloth and manufactured goods were secretly sent across the lines to be exchanged for perishable commodities needed in town. The volume of the illegal trade grew so much that the Continental Congress became alarmed. If old patterns

of commercial dependence were reestablished, some revolutionary leaders feared that old habits of political allegiance might soon follow. This prospect delighted the British, and even though official policy declared all trade with the enemy illegal, the British were much more lenient in practice. Critics of the army believed that the trade was allowed because British officials were profiting personally. More important was the realization that illegal trading often provided city residents with badly needed goods. Although the British authorities were constantly on the alert to stop the most overt forms of smuggling, particularly to prevent munitions from going to the rebels, they often winked at trade with the enemy that brought food into the city.

Coping with illegal trade was only one of the many administrative responsibilities that fell to the military commandants of the city. Five men served as commandant at various times during occupation. General James Robertson served in the post from September 1776 to February 1777, again from September 1777 to May 1778, and once again briefly in August 1780. Major General Pigot filled in for Robertson between February and September 1777. Robertson was succeeded by Major General Valentine Jones in May 1778, and he turned the office over to General James Pattison in July 1779. Brigadier General Birch followed Pattison in August 1780 and governed the city until the British evacuation in November 1783.

Pattison's order book has survived, and it chronicles the many problems that confronted the military authorities in the city. Pattison was a hard-bitten, crusty disciplinarian who often offended city residents by losing his temper. Hot-tempered or not, the general took his responsibilities seriously. He tightened the regulation of trade, cleared rotting hulks from the docks, organized loyalist militia units to help police the town, restricted the movement of

noncombatants across British lines, and tried to resolve the endless conflicts between soldiers and civilians. He expected his orders to be obeyed. A shipowner who ignored a directive to remove derelict vessels from the wharf cooled his heels in the Provost Jail until the ship was removed.

Housing constantly had to be found for troops and refugees. Military dependents and their baggage had to be unloaded from transports, housed, fed, and then reloaded when the troops left. Sometimes residents had to be ejected to make room for an influential loyalist or important military official. The authorities had to be on the alert for suspicious persons who might be spying for the enemy or plotting to burn the town. In the winter, fuel had to be found and distributed; in the summer, arriving ships had to be scrutinized for disease. Small matters took a lot of time. On one occasion, Pattison ordered that six unarmed men be assigned to do the "disagreeable though necessary business" of removing "an unhappy woman, out of her senses, to the Alms-House." On another occasion, a merchant was warned that if he did not pay his bills "coercive measures" would be used.

If coercive measures did become necessary, they were often carried out by Andrew Elliot, one of the many civilians appointed by the military to exercise certain administrative functions. No one was more involved in the day-to-day business of governing wartime New York City than Elliot. At eighteen, the Scottish-born Elliot had come to Philadelphia to make his fortune in trade. "No Body owns this as their Country," he wrote a few years later; everyone in America wants only "to gett Money and then return." His efforts to "gett Money" were never very successful, and in 1763 he turned to his politically influential relations in England to get the job of customs collector in New York City. Somehow he managed to stay on good terms with nearly everyone during the next thirteen years of crisis, even though collecting the king's

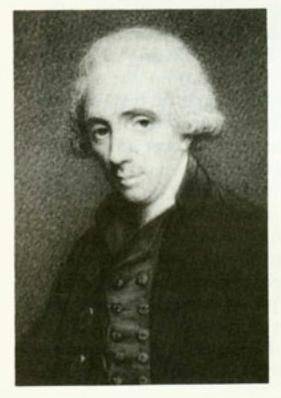
customs was regarded by many as hazardous duty. Elliot sympathized with colonial merchants who insisted that colonial trade was being damaged by England's trade laws, but he nevertheless enforced them scrupulously. By 1776 it was becoming dangerous to be a conscientious servant of the crown, and Elliot left town to hide in the mountains of New Jersey until Howe captured the city.

Elliot's importance in the wartime city stemmed from his authority over trade and police operations, duties encompassed under his imposing title, Superintendent General. Most of the regulations governing the town were imposed by the Superintendent. When directives concerning the civilian population were issued by the military authorities. Elliot usually enforced them. He was responsible for keeping order on the streets, maintaining the night watch, regulating prices and wages, and suppressing vice. Fines were levied for an array of offenses, from evasion of militia duty to the violation of the fire regulations. The failure to pay rent might bring ejection by the police. Tavern masters, cartmen, auctioneers, and almost anyone else who wanted to do business in town had to obtain licenses from the police. Civilian criminal cases, except capital crimes, were tried by the Police Court, headed by Elliot.

Elliot's authority over trade and commerce frequently overlapped with his police duties. Ships arriving at the docks were registered and their cargoes examined for undeclared goods. Cargoes had to be licensed to enter town, or to be taken out. Shares of captured cargoes were distributed to the appropriate people. Informers could receive half of any smuggled goods they reported to the authorities. Vendors had to report to the police what they intended to sell and at what price. Bakers were ordered to put their initials on loaves of bread just in case there was a question about the size or the quality. Few details escaped Elliot's diligent eye. Oysters could not be shipped into



General James Pattison



William Smith, Jr.



Andrew Elliot

Pattison was one of the five commandants of New York. Elliot was the most important civilian official appointed by the military. Smith, who held the title of Chief Justice in the defunct provincial government, advocated the restoration of civilian rule (see pp. 24-29). Pattison's portrait is by Thomas Lawrence and is in the British Museum. The drawing of Elliot is reprinted courtesy of the Pennsylvania Magazine of History and Biography. Smith's portrait courtesy of the New-York Historical Society, New York City.

In March 1780, Elliot was appointed lieutenant governor, and when Governor Robertson left America in April 1783, Elliot earned the novel distinction of being the last person to serve as royal governor of New York.

Elliot and the commandants often designated prominent town residents to assist in governing the city. Mayor David Matthews served as a police magistrate. Isaac Low, a wealthy merchant and a former member of the Continental Congress, headed up a specially appointed board of vestrymen to distribute food and clothing to the poor and to help in the allocation of housing to refugees. Some of the names of the vestrymen were among the oldest and best-known in New York-Nicoll, Jauncey, Walton, Stuyvesant, Bayard, Van Dam, and Dyckman. Many of the vestrymen were, like Low, also members of the Chamber of Commerce, which was revived by Commandant Jones in June 1779 to assist Elliot in policing trade. Under Low's direction, the Chamber soon exercised broad authority in many of the operations of government. The superintendent and the city commandants consulted with the members of the Chamber on matters ranging from the setting of prices and wages to the removal of garbage from the streets.

Elliot also apparently delegated some of his judicial authority to the Chamber in disputes over the ownership of goods and cargoes. Sometimes the Chamber became too independent in exercising this power, and on one occasion Commandant Pattison gave Elliot a blunt order that the Chamber's rulings were to be strictly advisory. But Elliot understandably sought as much help as he could get from the wealthy and influential members of the Chamber. Finally, the members themselves drew the line when Elliot tried to get their assistance in police matters. Matters not relating to trade, the Chamber ordered in October 1780, "shall be returned back to the POLICE, as this Chamber cannot consistently with their INSTITUTION interfere in any other matters."

In addition to those responsible for governing the city, there was a host of minor officials daily working to meet the needs of the army. Everywhere one looked, exasperated residents began to grumble, there seemed to be another commissary, quartermaster, or supply officer. One critic of the military authorities complained of the "supernumerary barrack-masters, land commissaries, cattle feeders, hay collectors, hay inspectors, hay weighers, wood inspectors, timber commissaries, board inspectors, refugee examiners, refugee provision providers, and refugee ration deliverers, commissaries of American, of French, of Dutch, of Spanish prisoners, naval commissaries and military commissaries," all aided by "a train of clerks [and] deputy clerks...."

The British had hardly established order in 1776 before military government itself became an issue.

### MARTIAL LAW

"IN THIS CITY robberies constantly take place," a despairing New Yorker wrote in 1781. "Persons have been attacked on the streets, and a woman and Scotch officer murdered." The crimes were committed "mostly by the soldiery." His fear of the occupation troops was widespread. Too often, many residents charged, discipline was lax and the army did little or nothing to protect the civilian population. As the years of military rule accumulated, many loyal supporters of the crown became convinced that the continuation of military government in occupied New York was the biggest handicap to the king's cause in America.

Even before 1776, New Yorkers did not need to be told that problems arose wherever soldiers and civilians lived closely together. In Albany during the last colonial war, military authorities had been so indifferent to crimes by soldiers against civilians that the sheriff tried to bring criminal charges against the commander in chief. The troops stationed in New York City between 1763 and 1771 had been a constant source of friction. Tavern fights often spilled out into the streets. Off-duty soldiers competed with New York residents for jobs, a problem compounded by the periodic economic depressions of the 1760's and early 1770's. In January 1770 serious fighting between soldiers and civilians had occurred on Golden Hill and Nassau Street after some of the troops sawed down a liberty pole. Only the Boston Massacre two months later exceeded the violence in New York City.

War swept savagely into lower New York in August 1776. A Brooklyn watchmaker reported that he was first robbed by rebels, and then the victorious Hessian troops "completed his Ruin." A few days later, as British soldiers and German mercenaries landed by the thousands on Manhattan Island, a British officer wrote in anger:

The Ravages committed by the Hessians, and all Ranks of the Army, on the poor Inhabitants of the Country, make their case deplorable; the Hessians destroy all the fruits of the Earth without regard to Loyalists or Rebels, the property of both being equally a prey to them, in which our Troops are too ready to follow their Example, and are but too much licensed in it....They Maraud throughout the Country...without the smallest means being used to restrain them, except a letter or two being wrote to their Officers, who pay no attention to them, and Publicly permit, or rather direct, their Depredations to be made.

Reports of crime by soldiers became depressingly commonplace. Women were raped. One apparently unconcerned officer wrote home: "They are so little accustomed to these rigourous methods that they don't bear them with the proper resignation...." People were robbed on the streets, even in the daytime. A mill owner was horsewhipped and killed when he tried to collect a debt from two soldiers. On Long Island, loyalist soldiers broke into the home of a merchant, and robbed and murdered him. "The English soldiers...perpetrate daily the grossest highway-robberies," one German officer charged. "I could narrate many and very frightful

occurences, of theft, fraud, robbery, and murder by the English soldiers, which their love of drink excited; and as they received but little money, they used these disgusting means." The streets in town became so dangerous that the officer took along an armed escort when he ventured out at night.

Troops housed with civilians were accused of destroying property and abusing the owners. Reverend Ewald Schaukirk, a Moravian minister, was relieved when the "oppressive and disagreeable billet" of German troops in the nearby North Dutch Church ended. Schaukirk had been forced to board the officers. "The conduct of the Major and his servants has been rude," the minister wrote, "and the rooms they occupied have been ruined." Town people complained of being cheated by the army's supply officers. Horses and wagons were sometimes taken for campaigns, and then returned, the horses half dead and the wagons damaged beyond repair. Gardens were raided and no payment offered. Civilian employees of the army charged that when they reported for their pay, they were often confronted with forged receipts showing that payment had been made. The chronic scarcity of food and fuel created ample opportunities for fraud. Commissaries were accused of cheating residents by paying less than the established price for vegetables or wood, delivering the army less than had been paid for, and then selling the remainder in the black market. People have good reason to complain, Captain John André told General Clinton. They are "at the mercy of a soldier for what should be taken and of a commissary for what should be paid or restored."

Many critics of the army believed that crime and corruption revealed more than just poor discipline. Martial law, they charged, provided no real protection for civilian lives and property. The well-being of the army would always have top priority; civilian rights would be strictly secondary. Civilians seeking justice were

dependent entirely upon the goodwill and competence of the military officials. There was no recourse to civil law or nonmilitary courts if a citizen had a grievance against a soldier or commissary. No matter how willing a military official might be to listen to complaints against military personnel or appointees, critics charged that the system of military justice invariably worked to the advantage of the accused. All too frequently, it was argued, military officials blurred the fine line between authorized activities and outright criminal behavior. It was difficult for a resident to prove that a commissary or quartermaster had acted illegally in taking property, since authorization orders were often vague or broad enough to leave room for fraud. Soldiers accused of assault could claim that they had merely been trying to maintain order or question a suspicious person. Houses could be entered on the pretense of searching for smuggled goods. Without overwhelming evidence, residents doubted whether they could obtain a favorable verdict.

Even when soldiers were caught committing crimes, they were turned over to their superior officers, who then decided whether to prosecute. Since the army's first concern was to keep men available for service, punishments that made sense from a military point of view looked like negligence to civilians. A court-martial might sentence a soldier to be flogged, or fined, or jailed for a brief time on bread and water. The soldier could then be returned to active duty. Town residents, who were obviously most concerned with keeping dangerous people off the streets, were disturbed to see soldiers convicted of robbery or rape back on duty. There was also some doubt whether soldiers could be legally executed for murdering civilians. As a result, murder convictions were difficult to obtain from the martial courts, and Thomas Jones, a caustic critic of the army, claimed that even convicted murderers who were sentenced to die were sometimes set free.

Protecting the rights of New York residents was only part of what some loyalists saw as a much larger question—Britain's plans for the future. Hatred of martial law and military government lay at the very heart of English tradition. The predominantly Whiggish ideology of the American colonists regarded military rule as the worst of all possible tyrannies. Concern that the British might try to resolve the controversy with America by imposing military rule had been a major impetus to the Revolution itself.

Now, as the war dragged on, loyal supporters of the crown feared that the continuation of military rule in New York might be convincing colonists that the British did intend to let the army govern America if the rebellion was crushed. If, on the other hand, civil law was restored and representative institutions recalled in occupied areas, colonists who were neutral or only lukewarm supporters of the Revolution would have proof that the British intended to restore the basic rights and liberties of Americans at the first opportunity. Only then would Americans who were hesitant about supporting the British feel safe in rallying to the king's cause.

No one argued this point more vigorously than William Smith, Jr., a member of the moribund provincial council and, after 1779, the chief justice of New York. Smith was a talented analyst of the complex constitutional issues underlying the American Revolution, respected by rebels and loyalists alike. Years earlier, he had sided with those who maintained that England's imperial measures in the 1760's and early 1770's would drive the colonies into rebellion. Smith's friends and correspondents included some of the most important revolutionary figures, and he had even spent the first two years of the war on the Hudson Valley estate of one of New York's leading rebels, Robert R. Livingston. Smith, one British official observed, "has more influence over the Rebels in the Province than any other person." When Smith finally decided to return

to New York City in 1779, the British were delighted to receive him.

Smith argued that the advantages of restoring civilian government outweighed any possible dangers. True, the military insisted that the prosecution of the war would be needlessly hampered if the army had to cope with civilian officials in occupied areas. But Smith doubted that this was correct. Besides, he argued, it was important for Britain to show that the war was being fought only to suppress rebels, not to punish loyal crown adherents. How could support for the king's cause increase if colonists were abused by the very army that was supposed to be liberating them? Revolutionary leaders were pointing to New York as an example of what the rest of the country could expect if the British won the war. True or not, rebels exploited colonial fears to the fullest. Britain should show that the concern was groundless by reestablishing civil law, reopening the courts, resurrecting the city and provincial governments, and allowing elections to be held.

There were occasional hints that the British might indeed be planning to restore civil government. In April 1780 General James Robertson, just back from England with a commission as governor of New York, proclaimed that "it is not his [the king's] Design to govern America by military law." The courts would be reopened and the Assembly called "as soon as the public exigencies will permit." Despite this assurance, the "exigencies" never permitted. Only when an occupied area had been declared "at the peace of the king" could civilian rule be restored. Neither the Carlisle Peace Commission of 1778 nor the man who served as commander in chief from 1778 to 1782. Sir Henry Clinton, felt obliged to declare a restoration of peace in New York. Clinton was adamant on the subject. "You may perhaps hear me abused for withholding my consent to the revival of civilian government," he wrote in January 1782. "Experience has proved that in all countries where operations of war existed, the martial law has



Detail from the 1766-1767 map by Bernard Ratzer. This copy was printed in January 1776. Courtesy New York State Library, Albany.



Trinity Church is at "b;" St. Paul's Church is at "C." The original site of King's College (later Columbia) is at "z."

always been found to be better adapted to the exigencies of such a state....After weighing the disappointments it might throw in the way of our military proceedings, I have never to this instant seen a moment proper for its renewal."

Clinton's successor, Sir Guy Carleton, was more sympathetic to arguments for civilian rule. Carleton, who had beaten back the American assault on Quebec in 1775, was one of the few British commanders to make it through the American Revolution with his military reputation untarnished. Soon after taking command of the British forces in May 1782, he moved to reform the much-criticized commissariat in New York. Corrupt officials were discharged. Administration of the supply system was centralized and tightened. "We rejoice that the chain of enormous, iniquitous practices will be at last broken!" Reverend Schaukirk exclaimed. "They must have ended in misery to the nation, had they continued much longer."

Carleton listened closely to Chief Justice Smith. Ironically, it was soon the commander in chief who was pressing the issue of reopening the courts while Smith held back. Revolutionary authorities were demanding the trial and execution of a loyalist named Lippincott, who had committed a revenge murder while on a raid in New Jersey. It was bad publicity for the British, Carleton pointed out. Why shouldn't Smith in his capacity as chief justice try the accused criminal? Smith waffled. He could not carry out his judicial responsibilities, he countered, until civil law was restored and the Assembly recalled. Only then could civilian judges act legally. Otherwise, they would be in the uncomfortable and potentially harmful position of administering justice under martial law. Frustrated, Carleton finally called a court-martial and Lippincott was predictably acquitted.

Neither Smith nor Carleton knew during the spring and early summer of 1782 that their debate was pointless. The peace negotiations that would bring independence for America had already begun in Paris.

Smith never stopped believing that the British might have changed the outcome if they had acted differently in New York. Independence, he thought, had been the goal of very few. Most colonists were driven into rebellion simply because Britain had governed the colonies badly. The king should have shown that he was ready to reform the colonial governing system. As a confidant of many powerful revolutionary leaders, Smith thought he had good authority to insist that a compromise solution preserving the empire was always possible. Yet the British had shown a dismal lack of good sense. Wherever they were victorious, the army ruled. Even when they had the chance, Smith wrote from exile in 1785, "the Civil Government was not erected .... 'Britain's armies "made more Rebels than they found....Too often they plundered their Friends as well as their Foes and in the Districts from which the latter were expelled no government took Place grateful to the wishes or adequate to the Security of the Inhabitants attached to the British Interest."

Now, he reflected, Britain could only try to do better elsewhere.

## SOLDIERS, PRISONERS, AND REFUGEES

MOST OF THE PEOPLE living in wartime New York City would not have been there if the Revolution had not happened. The town was a haven for refugees and a camp for soldiers, who frequently brought their families along on campaign. Continental prisoners of war were sent to New York. Sick and wounded soldiers came to the makeshift hospitals in converted churches and public buildings. Merchants arrived trying to exploit the peculiar advantages of wartime trade, particularly after the British began to license privateers. Even the poor from war-torn neighboring areas often sought sanctuary and charity in New York.

Most conspicuous among these temporary residents were the soldiers. More than 15,000 soldiers had marched into the city as Washington's army was retreating northward. During occupation, the number of troops on and around Manhattan Island fluctuated somewhere between 3,000 and 20,000. A large force was ordinarily kept on Staten Island, a staging area for campaigns, always vulnerable to rebel attacks from the Jersey shore. How

many troops were in the city is not certain, although the number must have been substantial.

Troops in town were usually housed in churches or in other large structures, such as the main building at King's College. Other soldiers were garrisoned in ramshackle huts at various places throughout the occupied areas. Dependents of soldiers received only one-half the rations of the troops, and when shortages were severe, this was reduced to one-quarter. Camps of British troops and German mercenaries were separate. But contact between the soldiers was unavoidable, and the ill will between the Germans and British often made garrison life dangerous.

No German soldier in New York had greater contempt for his British counterparts than Lieutenant John Charles Phillip Von Krafft, an aristocratic officer whose family specialized in military service to the king of Prussia. Bored with garrison life in East Prussia, Von Krafft resigned his commission early in 1776 and decided to try his luck in America. His adventures before finally arriving in New York read like a chapter from Candide. He was taken from an American vessel by a British warship, put into jail in Quebec for assaulting an officer, saved from starvation by a young French-Canadian woman, sent back to Europe, taken on as a crew member on an American privateer, and finally dropped off on the Maryland shore. For weeks he wandered on foot through the snowy, unfamiliar terrain. When the American authorities at Valley Forge showed no interest in giving him a commission, he slipped through the lines to the British forces occupying Philadelphia and joined a German unit. In the spring of 1778, he came to New York.

Von Krafft's journal chronicles the many miseries of the soldiers fighting the king's war in America. He was frequently sick; all sorts of illnesses were brought on by leaky huts, adulterated food, and bad drinking water. Garrisons in outlying areas were in constant danger of being attacked by rebel bands. Desertions were common,



# By his Excellency JAMES ROBERTSON, Efquire,

Captain General and Governor in Chief, in and over the Province of New-York, and the Territories depending thereon in America, Chancellor and Vice Admiral of the same, and Major General of his Majefly's Forces.

HE King having been graciously pleafed to house me with the Care of a Province, where, in a long Residence I have contrasted an Effective for force, and an Affection for many of its Inhabitants, I proceed with great Pleasure to associate s benevalent Intentio

It is his Majelly's With, by the Revival of the Civil Authority, to prove to all the Colonies and Provinces, that it is not his Drigo to govern America by Military Law, but that they are to enjoy all the Benefits of a local Legislation, and their

Conflitution.

To this End I have brought out the Royal Appointments for forming the Crimcil, and supplying the Places of Lieutenant Governor and Chief Juffice. And in Concurrence with the Commander in Chief of the British Forces, who is also His Majerly's Commissioner for refloring Proce to the Colonies, I shall, as speedily as the public Enigencies will permit, give order for opening the Courts of Judicatione, and convening the Affendily, and in general proceed to the Execution of the Powers reposed in me, for the fire Courte and complete Re-Publishment, both of the Legislative and Executive Authority.

I take great satisfaction in the Astroipation of that happy Day, when Relations, Firends and Fellow Citizens, having diffmiffed their gloomy Apprehensions, shall re-emissive each other, and return to the Offices, Pleasures and Employments of Peace. Your Country with your Actions Privileges, will then participate in an extensive Commerce, and be exempted from all Taxarises not imposed by your felves.

Taxarises not imposed by your leave.

Until I went you regularly in General Affembly, for the Refloration of mutual confidence, and the remedying of private as well as goldic Evils, I pledge myleif to Mon of all Chiles, in every part of the Province, that it is the compationate Define of your Sourcign and of the Parent Country, to unite is Affelian as in Interest, with the Colonies planned by her Hand, and which have long flourished under her Care,—that the Singe Plous of her Incention to impair their Rights and Privileges, are the Area of Mailice and Faction,—and that every Information made by the demetric Enemies of Great-British, of her being dispoid to abandon the Provinces to internal Amentay, and the Mischiefs of their juring Interests and Claims, or to the fraudulent and arbitrous Views of Sorrign, Popific, and arbitrary Powers (of whom your Fathers had a wife and Memorial Jestously) is countly fair and malkician.

dulent and antinous views of steering, Popula, and Admiration of furnounding Nations, the wither to include in one.

Huppy brieff, under a Confliction which is the Envy and Admiration of furnounding Nations, the wither to include in one comprehender System of Feliciey, all the Branches of a Stock, intimately connected by the Ties of Language, Manners, Laws, Contonna, Bublins, Interests, Religion and Blood.

I lament with the ingenuous Thoulands of America, who are irreconculeable to the unnatural Separation, to insofpicious to your felicies, as well as all the reft of your Felicus-Subjects in the other Quarters of the World, that the Few who have found Means to acquire a Sway in the Management of your Affairs, have been averse to every uniting System of Policy, and studiously through the Paths to Harmony and Peace.

Means to sequire a Sway in the Management of your Affairs, have been averic to every uniting System of Policy, and studiously flumened the Paths to Harmony and Pears.

But it is not any Aim to call them to a hopeless and macrifying Review of their condouct. Can they want Evidence at this Day, of the Develation of their Measures, by an intreasing Mayority of their own countrymen? And having every Thing to fear from their exhausted Patience, I was a them to desift, from any future Amengets to referain and fedore the Loyalty of others, and wikity to provide against their References, by figualizing themselves, as heretofore in exciting, so now in closing the Scene of their interestle calamities. And I hereby give the Brougest Affarances of effectual Counteaure, Protection, and Support to all Persons who avail themselves of the Proclamation islood by His Excellency Sir Hanar Clumros, dated at James Bland, the Third Day of March.

Left inclined to represent than to conciliate, to aggravate than to forget, even the guilt of their, who, privy to the repeated Calls of Great Bursin to Friendship, upon Terms adequate to the Deline and Experizion of their Conditioness, yet nevertheless forbore to reveal them, that they neight, with the greater Haft, peris the antient Essainy of foreign Fors, to the Aid of their twee Ambition and Averior. I exhort them to fork an early Refuge in the abundant Chementy of the Crown, from the Perils to which they have capacite themselves, by Measure Scandelundy conceived and tyramically inforces, and associating by the conspicuent Miseries they have brought upon their Sudant have been constituted.

Towards redefing the English themselves, by Measure Scandelundy conceived and tyramically inforces, and associating by which its Adiams have been constituted.

Towards redefing the English the Science, a sising from the Less or Wast of Charters, I recommend it to all concerned, to apply without Delay in the ostinary Course for Charters, which field be greated as from as civil Authority takes Place.

G IVE N under my Hand, and the Great Seed of the Province of New-York, in the City of New-York, the fifthenth Day of April, One Thousand Sprea Hundred and Eighty, in the Twomboth Tear of Hit Monty's Ken

JAMES ROBERTSON.

By bis Excellency's Commend,

SAMUEL BAYARD, Jun. DEPUTY SECRETARY.

GOD SAVE THE KING.

and when supplies failed to arrive, soldiers talked darkly of mutiny. Mutiny, like desertion, was punishable by death. Stealing was a more common problem than either mutiny or desertion in both British and German camps. British soldiers convicted of theft were usually whipped, but the Germans preferred a more ingenious method of thrashing called the "gantlet." Convicted thieves were forced to run between two parallel lines of soldiers, who beat them with clubs as they ran. One unfortunate soldier was sentenced to "run the gantlet 12 times on one day between 200 men."

Von Krafft was quite capable of enforcing his own brand of discipline. He thrashed disrespectful subordinates (especially Englishmen), dueled with fellow officers, and once kicked the behind of a homeowner who was less than enthusiastic about quartering the German troops.

Despite the hardships, life in New York City was not always unpleasant. The most important residents carried on an active social life throughout the war. Balls, concerts, and dinners were held frequently, with everyone trying to dress as much as possible according to the latest London fashions. Residents attended plays in which "the characters [were] performed by officers of the Army." Such diversions troubled some city residents. Reverend Schaukirk criticized "the gentry" in 1780 for wasting the city's meager resources celebrating the queen's birthday. The festivities "were carried too far in expense in such times of distress and calamity," he wrote scornfully. "It is

In this April 1780 proclamation, printed as a broadside, General James Robertson, who had been appointed governor of New York, promised to restore civilian government in New York. The promise was never kept. The broadside was printed by James Rivington (see pp. 46-48). Courtesy of the New York State Library, Albany.

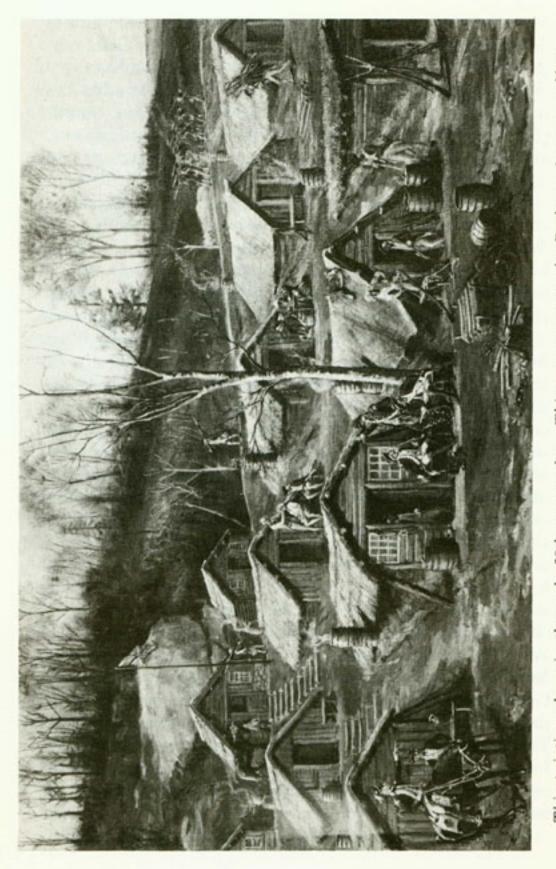
said that the ball cost above 2,000 Guineas, and they had over 300 dishes for supper." The pious Schaukirk was convinced that New York was wallowing in the depths of depravity, particularly after a wooden promenade built for officers and their ladies in the graveyard of Trinity Church was widened "so that the posts had to be sunk into the graves."

For those who were not invited to share the amusements of the elite, there were plenty of taverns. Drinking was such a popular pastime that General Pattison tried to regulate the distillation of liquor and limit the number of taverns to 200. Earthier recreations were also available. Commander in Chief Howe caused a scandal by consorting openly with Mrs. Joshua Loring, the wife of a merchant. (Howe assuaged Mr. Loring by appointing him to the well-paid post of commissary of prisoners.) Thomas Iones claimed that Commandant James Robertson went about his official duties with a pretty young woman on each arm. The eighty-year-old Robertson reputedly had mistresses waiting in whichever part of town he happened to be. Sexual diversions were by no means restricted to ranking officials. Prostitutes were readily available for anyone who could afford the price. Reverend Schaukirk could only exclaim in despair, "Profaneness and Wickedness prevaileth-Lord have mercy!"

Available women and willing customers contributed to the spread of venereal disease, shocking poor Reverend Schaukirk into ever more dismal reflections. Most people, however, were less concerned about venereal disease than about the epidemics of smallpox, cholera, and yellow fever that swept the city with grim regularity. Diseases spread easily and quickly, particularly among the crowded hovels on the west side. People on ships arriving from overseas often carried infections. Troop ships were sometimes sent back if the men aboard were sick, but the constant shifting of soldiers prevented effective quarantine measures. Illness sometimes destroyed the fighting ability of the forces in New York. In September 1779, Commandant Pattison reported that the "uncommon wet weather" had brought on an outbreak of fever that levelled the troops. At least 5,000 soldiers were unfit for duty. Smallpox, the most dreaded disease, was an annual occurence, although by the 1770's the practice of innoculation had made it a less serious threat than it might otherwise have been.

Epidemics also ravaged the American prisoners of war who were sent to New York City by the thousands. The American soldiers captured during the battles for Long Island and Manhattan were soon joined in New York's prisons by soldiers taken in other campaigns. Some prisoners were confined in town; others were jammed aboard prison ships in the harbor. In March 1778 Elias Boudinot of New Jersey, the American commissary of prisoners and later president of the Continental Congress, was allowed to visit New York after reports on prison conditions became alarming. Boudinot's reaction to the situation in New York was mixed. The prison hospitals were "in tollerable good order," he reported. But at the notorious Provost Iail, where prisoners were closely confined, Boudinot told of "instances of the most shocking barbarity." Prisoners were beaten, denied water, and locked for months in the dungeon. One journal entry by a New Jersey council member held in the Provost reads simply, "Horrid scenes of whipping." Boudinot and others believed that the chief culprit was Provost Marshall William Cunningham, who reportedly followed up Boudinot's visit by beating two prisoners to death. Cunningham's reputation for cruelty was so widespread that Washington sent a personal protest to General Howe. Years later, as he was about to be executed in England for forgery, Cunningham admitted that he had murdered many American prisoners, mostly by starving them to death.

Boudinot could do little for those held on prison ships,



This painting, done in the early 20th century by John Ward Dunsmore, depicts a typical British military hut camp during the American Revolution.

where, he reported, prisoners "suffer greatly and die daily...." Most horror stories centered on the Jersey, a'45year-old hulk that had once seen more glorious duty as a man-of-war in the Mediterranean. After the Revolution, there were several published accounts of conditions on the Jersey. They tell of rotting, often uncooked rations and water so foul that even hardened seamen could barely tolerate it. Oddly, the Jersey offered one benefit over other prison ships. Portholes where cannon had once stood allowed a certain amount of ventilation below deck. Merchant vessels converted to prisons had none.

American newspapers printed lurid accounts of conditions on the prison ships. An escaped prisoner, Robert Sheffield, told the readers of the Connecticut

Gazette of his experiences:

The steam of the hold was enough to scald the skin and take away the breath-the stench enough to poison the air all around....The heat so intense (the hot sun shining all day on deck) that they were all naked, which also served the well to get rid of vermin, but the sick were eaten up alive. Their sickly countenances and ghastly looks were truly horrible; some swearing and blaspheming; some crying, praying, and wringing their hands, and stalking about like ghosts; others delirious, raving, and storming; some groaning and dying-all panting for breath; some dead and corrupting-air so foul at times that a lamp could not be kept burning, by reason of which the boys were not missed until they had been dead ten days.

Former prisoners bitterly accused the British of deliberately and systematically allowing prisoners to die. Their charges are extremely doubtful, but death was such a common feature of prison life that Americans understandably looked for someone to blame. In one hospital alone. Boudinot reported that 120 of the 200 inmates died in five months. Historians Richard B. Morris and Henry Steele Commager have estimated that 7,000

prisoners died on the New York prison ships.

Captured officers often fared much better. Eighteenthcentury military ethics dictated that officers, unless suspected of crimes or regarded as particularly dangerous, were to be paroled. This enabled the authorities to keep them separated from their men. American officers sent to New York City had only to pledge not to escape, subvert the British war effort, or speak badly of King George. Once paroled, they were allowed relative freedom of movement within occupied areas. Officers sometimes pooled their resources and found lodging in private homes. A certain Mrs. Carroll boarded several captured officers. She ate, drank, and played cards with her prisonerguests, and made her politics "Tory or Whig, as best suited the company she happened to be in...." The attractive Mrs. Carroll lived better than most since rumor had it that she was one of Commandant Robertson's favorites.

Another captured soldier, Lieutenant Jabez Fitch, spent more than a year on parole in New York City and on Long Island. He passed much of the time exchanging views with another paroled prisoner, Ethan Allen. Fitch and his roommate, Captain Ozias Bissell, were so loosely supervised that Bissell frequently made nightlong visits to his mistress. It was even common practice to invite important parolees to social functions. Apparently, captured officers took advantage of the opportunity to rub elbows with New York's elite, since Boudinot complained that many officers were "running into unnecessary Expences from mere Ornament and Finery...."

Loyalist refugees also came by the thousands to New York City. Anti-loyalist activity grew in intensity as revolutionary fervor increased. Throughout the rebellious colonies, crown supporters were bullied, shunned, harassed, and imprisoned. Passivity and neutrality became suspect. The new state of New York made life especially hard for loyalists. Once independence was declared, New York authorities required that all residents swear loyalty to the new revolutionary government. Local committees of safety enforced the oath with ruthless efficiency. Those who refused to sign were declared enemies of the revolution, traitors to the American nation. In September 1776, the state government created a committee "for detecting and defeating all conspiracies" against the state or nation, and this committee and its successors continued to ferret out suspected crown supporters for the next seven years.

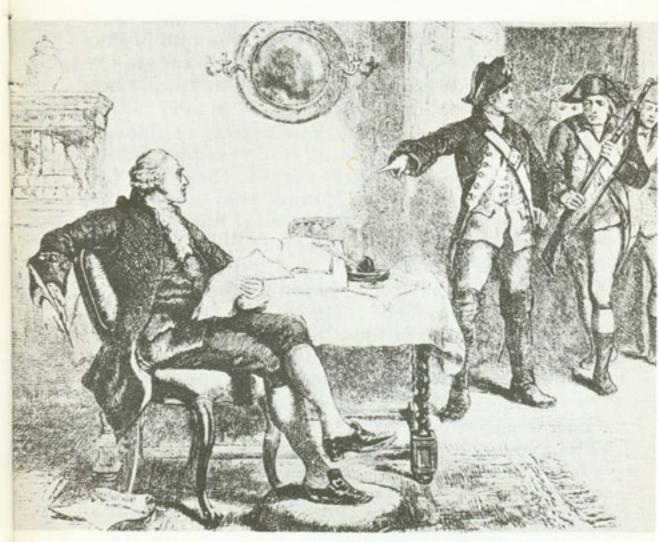
Convicted loyalists were disarmed, then either paroled, imprisoned, or sent to New York City. As the war demanded ever-increasing amounts of resources, the property of many loyalists was seized to aid the American cause. Loyalists who escaped to New York City were particularly vulnerable to property seizures, since, according to a 1779 New York State law, the unchallenged testimony of only one witness was sufficient to condemn an absent property owner as a traitor, whose property was then forfeited.

Harsh as these policies were, they were justified in the minds of the revolutionaries by the strength of loyalism in New York. The British presence in New York City and the surrounding area made the real and potential military danger of loyalists an ever-present concern. Investigations of those suspected of secretly aiding the enemy were an almost daily occurrence throughout the war. Even loyalists who agreed to stay neutral in order to remain on parole in rebel-held territory sometimes betrayed that trust and proved that the crown had active supporters in New York. Half-blind Frederick Phillipse, scion of one of New York's oldest and wealthiest families, fled to New York City when it was discovered that he had been secretly aiding the British after agreeing to remain neutral. Phillipse was sentenced to die if he should ever try to return.

Those loyalists who wound up in New York City aided the crown's cause in many ways. Loyalist militia units helped patrol the city, and loyalist troops fought with the British in many engagements. Loyalist units commanded by General Oliver De Lancey were stationed on Long Island throughout the war. Crown supporters from Westchester County were organized into an armed force by James De Lancey. The so-called "Cowboys" became notorious for their guerrilla tactics in Westchester County and neighboring areas. Early in the Revolution, loyalists in New York City contributed £2,000 in a two-week period to help crush the rebellion. Staten Island raised £500, and like amounts came from occupied areas on Long Island. Funds from loyalists continued throughout the war. Female crown supporters in New York City even outfitted a privateering vessel, *The Fair American*.

Colonies other than New York contributed refugees and loyalists to New York City's population. One of the most prominent wartime residents was William Franklin, royal governor of New Jersey and illegitimate son of Benjamin Franklin. Governor Franklin was intelligent, tough, and politically astute, and like his father, an able scientist. Both father and son were advocates of a strong Anglo-American empire, but the outbreak of the war drove them into opposing camps. In 1776, Governor Franklin was arrested, tried, and sent into imprisonment in Connecticut, where he was so closely confined in the dungeons at Simsbury Mines that he sometimes could not "answer nature's call." Nearly two years later, Franklin came to New York City in a prisoner exchange.

As one of the highest ranking refugees in New York City, Franklin became a leader in the loyalist community. When General Clinton created the Associated Loyalists in 1780 to direct loyalist offensive measures against the rebels, the former New Jersey governor was appointed chairman. In June 1782 rumors of peace prompted the loyalists in New York to dispatch Franklin to England with a petition opposing independence for the colonies. The former New Jersey governor never returned to America. In later years, when many exiled Americans



A contemporary drawing of the arrest of William Franklin, son of Benjamin Franklin and the last royal governor of New Jersey. The bitterest moment of the war for Franklin occurred when the American authorities refused to allow him to go to New York City on parole to visit his dying wife. Later, he came to the city in a prisoner exchange. Courtesy of the New Jersey Historical Society.

became disillusioned and embittered in England, Franklin remained convinced that he had made the right choice. His father, one of the half-dozen most important men in the new United States, never forgave him; when the old revolutionary died, he denounced William in his will.

Some refugees came to New York City seeking freedom. A significant number of the city's inhabitants were slaves, who escaped and found their way to New York City in the hope that service to the crown would win them freedom when the rebellion was crushed. Slave escapes were prompted by General Clinton's 1779 order that all slaves seeking asylum with the British would be freed. Not all British commanders in New York appreciated Clinton's effort to secure black loyalties to the British cause, nor the added burden black refugees created for New York City authorities. Commandant Pattison even issued orders preventing fugitive slaves from entering British territory. Despite such efforts, blacks came by the hundreds, lured by the hope of freedom.

Once in New York, former slaves worked as blacksmiths, carpenters, teamsters, day laborers, or as workers in military garrisons. Some blacks joined loyalist military units as soldiers. Blacks also arrived as prisoners of war. Several of the rebelling colonies allowed slaves to be substituted for their masters in military service, or offered bounties to those who would send their slaves to the army. Many blacks saw service in the American army, and those who were captured suffered with white prisoners in jail. David Belknap's slave, captured while serving in his master's place at Fort Montgomery, later died in prison in New York.

New York City may have been a prison for many, like David Belknap's slave, but for thousands more it was a sanctuary from the Revolution. Sometimes, as the war dragged on, even the city did not seem secure.

## UNDER ATTACK

WASHINGTON WAS ASSEMBLING his forces at White Plains. It was July 1778, and the American commander in chief was planning to retake New York City. Now that the French fleet had arrived off the New York coast, Washington was trying to organize a combined land and naval assault on the city. It never materialized. The French, fearing the danger of entering New York's narrow harbor, decided to attack Newport, Rhode Island, instead. For the next three years, Washington tried fruitlessly to persuade the French naval commander to join an attack on New York City. Finally, in 1781, he thought he had succeeded. As the American army got ready, the French once again abruptly changed their plans. New York City was still secure for the British. Commander in Chief Clinton's relief was shortlived: Washington had decided to head south to join the campaign against Lord Cornwallis in Virginia.

Although Washington was frustrated in his desire to retake New York City, the war was never far from town. Rebel pressure on occupied New York was mostly small scale, but deadly serious. Bands of regulars and irregulars penetrated the defenses around the city, burning and looting homes and sometimes attacking military camps. New Jersey was a launching ground for raids against British garrisons, particularly those on Staten Island. The long, exposed Long Island coastline provided access for rebel soldiers, raiders, and spies. North of Manhattan in present-day Bronx and Westchester counties, guerrilla warfare turned the so-called "Neutral Ground" into a bloody battlefield.

Few weeks passed without reports of rebel attacks. Several hundred rebels surprised the garrison at Paulus Hook; carpenters working on fortifications on northern Manhattan were attacked; a surgeon answering a fake distress call was shot and nearly killed; twenty men with "their Faces blacked" kidnapped two civilians and carried them back to New Jersey; a wood cutting detail on Long Island strayed too far and lost several men in an ambush; armed whaleboats captured a merchant vessel approaching through the sound. Similar incidents occurred throughout the war.

British raids into rebel territory often brought retaliation. In November 1777, loyalists had kidnapped two members of the Westchester County Committee of Safety and burned their homes. Protests against the brutality of the raid brought a blunt rejoinder from General William Tryon: "I should, were I in more authority, burn every committeeman's house within reach...." A few nights later, the rebels got even. Slipping past British ships in the Hudson, a band of raiders attacked the house of loyalist General Oliver De Lancey, situated near the west end of present-day 42nd Street. De Lancey's sixteen-year-old daughter Charlotte was beaten. One of the raiders tried to wrap a burning curtain around Elizabeth Floyd, a guest in the house. As the raiders looted and burned the house, both girls managed to escape, carrying Charlotte's infant niece. All night they shivered in a nearby swamp. Mrs.

De Lancey, too old to run, saved herself by hiding under the front steps in a doghouse. "You who are so fond of burning works," a rebel newspaper taunted later, "how do

you like it when it comes so near home?"

The war also intruded into New York City in more clandestine ways. The city was constantly awash with rumors of conspiracies to kidnap and kill prominent loyalists or British officials. Fire was especially feared. A serious fire in the wharf area on August 3, 1778, made residents jittery, and for the next few months stories circulated of incendiary plots, discovered just in the nick of time. Lieutenant Von Krafft spent much of his time on fire watch. Soldiers in town were sometimes ordered to sleep in their clothing to be ready for instant service. Reverend Schaukirk wrote that a group of conspirators had reportedly enlisted the aid of 300 city inhabitants to coordinate a fire with a rebel attack.

Most covert activities were directed more at obtaining information than at destroying the city. Spies came to town in search of useful information. People from all professions and social ranks acted as secret agents. Even William Smith, Jr., despite his prominence and influence with the British authorities, was suspected by some of supplying information to his former protégé, George Clinton, governor of the state of New York. Both sexes were also involved in spying. Women who daily brought supplies into town could easily report what they had seen to revolutionary authorities. The suspicious General Pattison tried to clamp down on female spies. "I am directed by Major General Pattison to say that there is reason to believe that the Women who come into this City under pretext of bringing Provisions to the Market are rather employed to carry out Intelligence," read one directive to an officer on Staten Island. "He desires that you will not allow any Woman whatever to Cross from the Jersey shore ...."

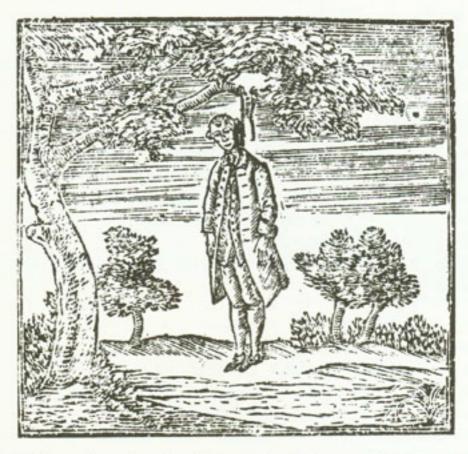
The most daring and effective of Washington's spies

was Robert Townsend, alias "Samuel Culper, Jr." Townsend, a merchant, carried goods and secrets to his contact on Long Island, Samuel Woodhull, or "Samuel Culper, Sr." Culper Junior covered his tracks by posing as an arch-Tory, even going so far as to write propaganda pieces for the New York City newspapers. So convincing was Culper Junior's Tory pose that British soldiers talked freely in his presence and often took him into their confidence.

Messages carried to Culper Senior by Townsend or his coconspirator, Austin Roe, were buried at a prearranged spot in an open field, where they were recovered and slipped across the sound to Connecticut. Culper Junior occasionally sent cartons of blank paper to Setauket, ostensibly for sale but in reality containing messages written in an invisible ink invented by the brother of New York's John Jay. Messages were also sent on the blank endleaves of books, or were written between the lines of innocent-looking business letters. As a further safeguard, Culper Junior wrote in code. The number "711" referred to Washington, "727" to New York City. Culper Junior sometimes relied on "355" to outwit British soldiers who opened letters going to and from New York. "355" was the code for one of several women in the spy ring. Most of Culper Junior's spies were never detected, and his own identity was not known until the twentieth century. But the unfortunate "355" was betrayed and died in prison on the Jersey.

One of Culper Junior's conspiratorial colleagues was perhaps the unlikeliest spy in all of occupied New York, James Rivington, publisher of Rivington's Gazette. Flamboyant, opinionated, and ever flexible in his loyalties, Rivington had been vilified as a Tory during the early days of the revolutionary movement. In 1775 his press had been sacked and his typefaces stolen by Isaac "King" Sears, a rebel street leader. Threatened with death Rivington quickly left for England, but returned in

triumph after New York was captured by the British. His press was reopened as the Royal Gazette, and for the next seven years, he combined routine news of births, marriages, and deaths with fake letters telling of rebel defeats, exaggerated notices of British military successes, and false reports of the deaths of rebel leaders. Rivington was cordially hated by the revolutionaries, and even many loyalists disliked him. The printer Hugh Gaine referred to Rivington as a "notorious propagandist." "Liar general of the Howes" was one of the more generous epithets hurled at him by the rebels. "If Rivington is taken," Governor William Livingston of New Jersey wrote, "I must have one of his ears; Governor Clinton is entitled to the other, and General Washington, if he pleases, may have his head."



This woodcut showing Rivington being hanged in effigy was printed in Rivington's own newspaper in 1775. Photo courtesy of the New-York Historical Society, New York City.

Incredibly, throughout it all, Rivington had been supplying Washington with valuable military information. Because Rivington's published abuses of the rebel cause were so extreme, many historians have doubted his status as an informant for Washington. But Charles Thomson, secretary of the Continental Congress, later stated that he had had an "understanding" with the New York City printer, and Culper Junior had helped finance Rivington's coffeehouse, a favorite haunt of British officers where conversations could easily be overheard. There is also no doubt that Rivington was given special protection by American troops occupying New York City in 1783. Neither his ears nor his head were delivered to Washington; they had been too useful throughout the war.

While the rebels pecked away at New York City's defenses, a major battle was taking shape in the South. For nearly two years since the winter of 1779-1780, Lord Cornwallis and the main British force had been fighting in the South. Late in 1781 Washington and his French allies decided to confront the English general in Virginia, near Yorktown. Cornwallis, trapped between the French navy in the bay and American and French troops on shore, surrendered on October 19, 1781. British troops at Yorktown marched into capture to the tune of "The World Turned Upside Down."

New York City's world was also about to turn topsyturvy.

### TRANSITION

DURING THE NIGHT of the great fire of 1776, Lieutenant Governor Cadwallader Colden died. Colden. old and sick, had retired to his Long Island estate, so he did not see the conflagration that reduced a large portion of the city to rubble. Colden's passing signaled the end of the old political and social order in New York. Since becoming lieutenant governor in 1761, he had symbolized the system by which Britain ruled her American colonies, system based on patronage, political influence, connections in England, and family favoritism. Rebellious colonials called this system corrupt, and not surprisingly, much of the hostility building against it in New York was directed at Lieutenant Governor Colden. Between 1776 and 1783 Americans were devising a revolutionary new political structure for America. Only the presence of the British army kept this revolution out of New York City.

Before the Revolution could sweep into New York City, the British had to leave. Rumors of peace began shortly after the defeat of Lord Cornwallis. But would peace bring independence for America? Not everyone thought so. Chief Justice Smith, like many loyalists, continued to believe that the Continental Congress would still agree to a settlement preserving the empire. Then, in August 1782, Commander in Chief Guy Carleton received stunning news—Britain was giving up. King George had agreed to independence for the colonies. The news, Smith wrote, "shocked me as much as [would] the Loss of all I had in the World and my Family with it."

Then, a long wait. News of the preliminary articles of peace did not reach New York until March 1783. The actual ceasefire was proclaimed on April 8. It was another month before the final treaty was ratified. Before the last of the British troops left seven months later, New York City became the evacuation center for everyone who either could not bear to live under the new American republic, or who would not be tolerated. Soldiers, military dependents, refugees, crown officials, blacks—perhaps 140,000 people in all—passed through New York to safety beyond the reach of the victorious Americans.

The loyalists felt betrayed. "You cannot conceive nor can language describe the distress that all ranks of people here have been thrown into by the intelligence of the independence of America being acknowledged by Great Britain, and the Loyalists being given up to the mercy of their enemies," wrote one angry crown supporter from New York City. Loyalist militia units hinted of mutiny. There was talk of carrying on the war alone, of scuttling the peace. It was only talk. Without British support, the war could not continue.

Loyalists had good reason to fear the American victory. Everywhere there was evidence that crown supporters would be roughly handled. People from the city who took advantage of the ceasefire to visit friends and families beyond British lines were surprised to find themselves harassed and bullied. Several states, New York among them, had passed laws declaring loyalist property forfeit. Loyalists were disfranchised in New York; sentences of

death hung over the heads of some New York City residents. My son, my wife, and I must leave, wrote Beverly Robinson. "We are condemned to be hanged without further trial or ceremony if we are ever caught within this state." There were persistent, terrifying rumors that the victorious rebels were planning to plunder the city on the heels of the British withdrawal.

City residents were in a state of near panic. "Many have lost their senses, and now are in a state of perfect madness," a letter to England declared. "Some have put a period to their miserable existence by drowning, shooting, and hanging themselves...." People clamored to get aboard departing ships. Prices plummeted on goods that could not be carried off. Property was hurriedly advertised for sale. Even New York State authorities worried that the panicky liquidation of holdings in New York City might lead to rampant speculation. Thousands of people, wrote an agent of Congress to Washington, "will be drove from this Country who are not conscious of any other Crime than that of residing within the British lines....Upon the evacuation we shall find a city destitute of Inhabitants."

Evacuating loyalists was only one of the problems facing Commander in Chief Carleton. How would property belonging to rebels be handled? Would rents collected by the British on property seized from rebels have to be repaid? When could property be reclaimed? Would revolutionary partisans be allowed free access into the city before the British troops were gone? How would order be maintained? Refugee slaves presented a particular problem. Clinton's emancipation order had presupposed a British victory. Would those blacks who had fled to New York be returned to their owners, as the Americans insisted?

Sir Guy engineered the eight-month-long evacuation with surprisingly few problems. As soon as news of peace was certain, he loosened restrictions on travel through British lines. Passports from the city commandant were required, but they were relatively easy to obtain. Property owners were invited into town to inspect their estates, and, if necessary, to place claims with a three-man board designated to act for the crown. Houses and buildings were restored to the owners as evacuees and soldiers left.

Less easy to deal with were the debts owed to departing loyalists by those city residents who planned to stay behind. Thomas Jones argued that, since no civil courts existed, Carleton should have used his authority as commander in chief to compel payment before departure. But Carleton was apparently reluctant to use his military authority to settle civilian debts. His only action was the creation of a commission to consider the claims, but without enforcement power. According to Jones the commission "did little good, ate the King's provisions, burnt his wood, drank his liquor, and pocketed his money." One last time city residents were vexed by the troublesome relationship between martial and civil law. The caustic and ever-critical Jones thought it was the only blemish on Carleton's otherwise impeccable behavior.

On one occasion Carleton met with the impatient American authorities to settle details of the evacuation. There was a heated discussion about blacks. Washington demanded the return of runaway slaves, as stipulated in the peace treaty. Carleton refused. Over Washington's strenuous objections, the British commander announced that Clinton's order freeing the slaves would be honored. Carleton made only two concessions. If the removal of former slaves was later found to violate the treaty, owners would be compensated. He also agreed to return slaves who had arrived in town since the signing of the preliminary articles of peace. Both concessions were pointless. American slave owners were never compensated, and one of the American agents named to monitor the evacuation complained that it was nearly impossible to cull illegally departing blacks from the hundreds who were leaving. Washington had been largely correct when

# NEW-YORK, NOVEMBER 26.

Yesterday in the Morning the American Troops marched from Haerlem, ta the Bowery-Lane .--- They remained there until about One o'Clock, when the British Troops left the Posts in the Bowery, and the American Troops marched into, and took Possession of the City, in the following Order, viz.

t. A Corps of Dragoons.

2. Advanced Guard of Light Infan-

try.

3. A Corps of Artillery

4. Battalion of Light Infantry.

5. Battalion of Maffachtifetts Troops,

6. Rear Guard.

After the Troops had ciken Poffersion of the City, the GENERAL and GOVERNOR made their Public Entry

he following Manner:

1 Their Excellencies the General and Governor, with their Suites, on

Hosieback.

2. The Lieutenant-Governor, and the Members of the Council for the temporary Government of the Sound District, four a-breat.

Major-Govern Krion, and the Officers of the Army, eight a-breatl.

A. Cittzens of all orieback, eight breatly

preast,

The Speaker of the Allembly, and Citizens, on Foot, eight a-breaft.

Their Excelled in the Governor and Commander in their were efforted by a Body of West Chefter Light-Horle, under the command of Captain Delavan.

The Procession proceeded down Way, to Cope's Tavern.

The Governor gave a Publical ner at Frances's Tavern; at the Commander in Chief, and of

General Officers were prefent.

After Dinner, the following Toufts

- en drank by the Company: 1. The United States of America.
- 2. His most Christian Majesty.
- 3. The United Netherlands. 4. The King of Sweden.
- c. The American Army.
- 6. The Fleet and Armies of France, which have ferved in America.

7. The Memory of those Heroes, who have fallen for our Freedom.

8. May our Country be grateful to her Military Children.

o. May Justice support what Cou-

rage has gained.

to. The Mindicators of the Rights of Mankind in every Quarter of the Globe.

11. May America be an Affylum to

the perfecuted of the Earth.

12. May a choic Union of the States guard the Temple they have creeted to Liberty.

13. May the Remembrance of THIS

DAY be a Leffon to Princes.

The arrangement and whole conduct of this march, with the tranquillity which succeeded it, through (the day and night, was admirable! and (the grateful citizens will ever feel the most affectionate impressions, from which prevailed through the whole

A contemporary newspaper account of the American army entering New York City in November 1783. Courtesy of the New-York Historical Society, New York City.

he wrote after his meeting with Carleton, "I have determined enough to convince me that the slaves which have absconded from their masters will never be returned."

At last Carleton announced plans for withdrawing the last of the British troops. If all goes as scheduled, he wrote Governor Clinton, troops from northern Manhattan would be withdrawn in stages and the city itself vacated on November 22, 1783. Troops on Long Island and Staten Island would leave as soon as possible after that. To whom should the city's public records be delivered? Clinton appointed John Morin Scott, a former political colleague of William Smith, Jr., during the early days of protest. Carleton was still disturbed by the persistent rumors of plots to plunder the town, even though an American force had stationed itself at Harlem to maintain order. On November 18 a large group of people, "lately returned from seven years of exile," organized themselves to police the town during the tense transitional period. Membership was denied to "every person whatever his political character may be, who hath remained in this city during the late contest...."

Fortunately no conspiracies materialized, and protests by those departing were essentially symbolic. The British inspector of markets, raging against the "Damned Rebels," carried off the bell from one of the markets. Commandant Birch made him return it.

Sir Guy left New York City on November 25, 1783, only three days behind schedule. Gone with him were Lieutenant Governor Elliot and Chief Justice Smith, and many other wealthy New Yorkers who had once held the highest offices in the province. Gone were the thousands of British and German soldiers who had fought the rebel army, although a surprising number of them, like the peripatetic Von Krafft, eventually made new homes in America. Gone were thousands of loyalist refugees, some to Canada, some to the West Indies, some to long and

disillusioning exiles in an England that never seemed to live up to their expectations. Gone were thousands of former slaves for whom the war against British "tyranny" had meant liberation from tyranny of another sort.

Four days after the British had gone, Reverend Schaukirk ended his journal with a brief entry: "In the evening about 8 o'clock, we felt a slight shock of an earthquake; and about eleven, there was a more violent one, which shook all the city in a surprising manner. We felt it in bed—enough to arouse us from our first sleep."

He did not say whether he thought it was an omen.

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