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Loyalists: Economic, gendered, and racial minorities acting politically for king and country.

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*LOYALISTS:
Economic, Gendered, and Racial Minorities
Acting Politically for King and Country*

By
Marcelle R. Wilson

A DISSERTATION

Submitted to
Eberly College of Arts and Sciences
at
West Virginia University

in partial fulfillment of the requirements
for the degree of

Doctor of Philosophy
in
History

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ABSTRACT

West Virginia University

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This work will focus on the study of economic, gendered, and racial minority Loyalists in the American Revolution. The main sources include the Claims Commission Records, government documents, newspapers, diaries, letters, and autobiographies as well as secondary sources dealing with the above mentioned topics. It will specifically look at women in the colonial era. Women occupied a domestic, secondary role in the colonies and the ways that they contributed to and were affected by the war were different than their male counterparts. Previously, historians have not looked at lower ranking women and their experiences in the late eighteenth century. Also, women's roles in society as contributors to and active participants in the war have not received adequate attention. This examination allows readers to understand that women were politically aware, committed, and willing to sacrifice everyday comforts for their ideologies. I will also show how women circumvented the conventions and social norms of the day to achieve their objectives.

In addition to looking at the role of women in colonial society, I also look at blacks—both slave and free—who actively aided the British during the war. Approximately thirty-five claims are available which help us understand the roles they played, sacrifices they made, and the recompense they received as a result of their loyalty. White men from the lower ranks of society are examined too, as a way to

provide balance and comparison to the treatment that blacks and women received in the same era.

The ultimate conclusion reached is that women and blacks were politically as well as ideologically committed and active during the American Revolution. They were aware of the ideas circulating at the time, made their decisions and actively supported loyalty. Their decision to stay within the political system of empire indicates that they made their decisions for many of the same reasons that their more elite counterparts did. It also shows the real sacrifices Loyalists made and how their lives were irrevocably changed as a result of their political alliance.

Acknowledgments

The process of researching and writing this dissertation has been a true learning experience. I have many people to thank for their support. The library staff at West Virginia University and Youngstown State University helped in countless ways whenever needed. The resources available at both institutions were invaluable. My mentor, Dr. Martha Pallante always provided a sounding board as well as helped me take the right directions in my academic endeavors. The chair of my dissertation committee, Dr. Mary Lou Lustig was tireless in her efforts to read and re-read my work throughout the whole research and creation process. Friends also helped, Dr. Donna De Blasio, Carol Salmon, and Delilah Board provided moral support and read portions of my work.

The largest debt certainly belongs to my family. My husband, Scott Krok, always provided moral support as well as financial support and always believed in me, thanks Scott! I would also like to thank my parents, the Reverend and Mrs. Harold G. Wilson, Jr., who ceaselessly inspired me to achieve and provided constant support in my life. My in-laws, Mr. and Mrs. Edward Krok were also extremely supportive and always kept apprised of my progress. Thank you all for believing in me!

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--INTRODUCTION--
THE LOYALISTS AND THEIR CAUSE
Remaining Faithful to the King

In 1775, Americans rebelled against the mother country to establish a free and independent government. The American Revolution was the beginning of a new era. It was an historical event which Americans continue to view with pride expressed through numerous histories. While the accounts of the Patriots, who overcame such overwhelming odds, are frequently recounted, the story of the Loyalists has been largely ignored. This struggle encompassed most, if not all, members of the social and economic ranks in the colonies, including slaves, indentured servants, and free African-Americans as well as women. The Loyalists backed the stronger opponent to preserve their lifestyles, society, government, and laws. Many Loyalists wanted to remain within the British Empire to reap the benefits of trade, stability, and protection. Most Loyalists supported the king against the American Patriots for a multitude of reasons, some of which appeared to be very similar to those espoused by their opponents. They were not one, monolithic group. Men, women, and people of color, as well as recent immigrants, native-born Americans, and workers from all occupations were Loyalists who favored continuing within the British colonial system. The Loyalists attempted to change the existing relationship between the colonies and Parliament, but they were more conservative in their outlook of the world than the Patriots. They believed that the benefits associated with the empire far outweighed any presumed benefits brought by independence. To many, if not most Loyalists, the British system of government and empire represented stability and civility. The Patriots and their revolution disrupted that way of life and Loyalists were eager to return to British rule.

Studying the hardships of women and blacks in the colonies illustrates the burdens they endured during the war. Claims, submitted to the British Claims Commission for losses due to loyalty describe the Loyalists, their possessions and their contributions to the British cause. By examining the Loyalists we can better understand their lives, their notions of honor and courage, and the reasons for their opposition to the Patriot cause and independence from Great Britain. This decision, to fight against neighbors, friends, and sometimes even family, was not easy. The question arises as to why they felt more of an affinity and comradeship with England than with their countrymen. The answer will help Americans better understand and comprehend the various meanings of the American Revolution.

Since I intend to focus on such economic and social minorities as political and active participants in the war, my work is significantly different than that done by other historians. All too often, the activities of a single, elite woman, an unusual slave, or an especially brave free black will be highlighted but only as an anomaly. My work differs from other historians in this approach. I concentrate on the lower and middling ranks that are generally omitted from the typical Loyalist story. My principal sources are the Claims Commissions' records. Historians, when studying and examining the lower ranks of society, have underutilized this source. Fortunately, the British Government set up a Claims Commission to compensate Loyalists for their sacrifices and material losses during the war. There were several incarnations of the Claims Commission, which was designed to provide monetary aid to refugees living in England and elsewhere. Prior to 1783, temporary pensions were awarded to needy Loyalists. Sometime in 1782, Parliament established a two-man commission for the purpose of:

review[ing] these temporary pensions and to deal with any new ones on a more rational basis. Independent of either party, but on the whole, sympathetic to the

American cause rather than to the Loyalists, they saw the assignment as taking two, or possibly three months to complete.¹

This small committee proved to be inadequate for the large task presented by the thousands of Loyalists exiled in England (and other locales) and the Claims Commission was enlarged in 1783, after details of the 1783 Treaty of Paris were made public.

The reformed Claims Commission was comprised of five members of the Board of Trade. Parliament passed a law late in July 1783 which provided monetary compensation to Loyalists and refugees. Parliament created this larger, five man commission designed to delve into the Loyalists' schedules of losses. The Prime Minister, Lord Shelbourne, appointed to the Commission, J. Eardley Wilmot, Daniel Parker Coke, Colonel Robert Kingston, Colonel Thomas Dundas, and Mr. John Marsh. These men had varied backgrounds and experiences which uniquely qualified them for positions on this delegation.² J. Eardley Wilmot and Daniel Parker Coke had been independent members of Parliament, were well educated and members of the aristocracy in England. Both men requested that they not be paid for their work, in an effort to avoid the appearance of receiving a "ministerial job" or "being under ministerial influence." Coke, a trained lawyer, had the ability to contemplate the individual merits of each claim, which greatly benefited the Commission.³ Colonels Robert Kingston and Thomas Dundas served in the British military and fought against the Patriots in America during the revolution. These two men had first-hand experience of conditions in America. John Marsh had been "...an experienced civil servant..." in Britain and was able to lend his familiarity with government policies and procedures to the Commission. These men reviewed and investigated the Loyalists' claims and

¹Susan Burgess Shenstone, *So Obstinate Loyal: James Moody 1744-1809* (Montreal: McGill-Queen's University Press, 2000), 148.

²Norton, *The British Americans*, 192.

losses. Initially appointed for a two-year-term, the immensity of reviewing (and sometimes re-reviewing) some 3,000 petitions took the Commission six years to complete.⁴ In an effort to simplify the process and streamline procedures and paperwork, the Commission set guidelines for a Loyalist's eligibility to receive recompense. Claimants were divided into six classifications:

those who had performed exceptional service on behalf of Great Britain,...those who had borne arms against the Revolution,...uniformed loyalists,...loyalists resident in Great Britain,...those who took the oath of allegiance to the Americans but afterwards joined the British...and those who bore arms for the Americans, but afterwards joined the British forces.⁵

These classifications helped the Commissioners determine the extent of a Loyalist's fealty to the British cause and his aid in the war against the Patriots. The Commissioners also classified types of damages admissible for compensation. In an August 10, 1784 report, legitimate losses included:

1.Losses of property in the United States...which ...have been sustained in consequence of their loyalty and adherence to the British Government. 2. Losses of offices for life, or during the pleasure of the Crown, possessed before the commencement of the troubles. 3. Losses of professional income... 4. Claims of real and personal representatives for losses sustained by deceased loyalists, such claimants proving the loyalty of themselves as well as of the persons they represent.⁶

Claims for un-recovered debts, damage done by Indians and other claims for losses were disallowed. The Commission also did not award compensation for land and property damaged, destroyed, or lost to foreign countries, such as France and Spain.⁷

³Hugh Edward Egerton, editor, *Mass Violence in America: The Royal Commission on the Losses and Service of American Loyalists 1783 to 1785* (New York: Arno Press and The New York Times, 1969), xxxii.

⁴Norton, *The British Americans*, 192.

⁵Egerton, *Mass Violence in American*, xxxvi._

⁶*Ibid.*, xxxviii.

⁷*Ibid.*, xxxvii. The Claims Commissioners enumerated a great many items that were not sanctioned and thus disallowed compensation.

Prior to 1773, most colonists were loyal and did not consider separating from Great Britain. Once Patriots stirred up the fervor for liberty, the choice for Americans was either to side with them or align themselves with Parliament and the crown as Loyalists or Tories. Legislation such as the Stamp, Sugar, Tea, and Intolerable Acts, which colonists perceived as unfair, initiated a split between those who wanted a change and those who did not. With the passage of the Intolerable or Coercive Acts, there was a shift in attitude, as many colonists in America united to oppose a common enemy, Parliament. Not all agreed that Parliament was the enemy. Many Americans, including lower class men, women, slaves, and free blacks demonstrated loyalty and attachment to the British system of government and laws. In doing so, they were aware of the importance of their actions to contain the provincial rebellion.

In many ways, as noted by historian Bernard Bailyn, Loyalists were devastated by the war and were:

The real losers—those whose lives were disrupted, who suffered violence and vilification, who were driven out of the land and forced to resettle elsewhere in middle life and died grieving for the homes they had lost...[and they] remained loyal to England and to what had been assumed to be the principles of legitimacy and law and order which the British government embodied.⁸

History, however, is written by the victors and tells their story, thus a complete account of the Loyalists and their story has yet to be told. Some notable Loyalists, such as Thomas Hutchinson, former Royal Governor of Massachusetts, the DeLancey family of New York, William Franklin, former Royal Governor of New Jersey and son of Benjamin Franklin, and Joseph Galloway, a wealthy politician from Pennsylvania, are frequently considered by historians. Other historians have examined such exceptional Loyalists such as Flora McDonald, Scottish immigrant and military leader in North Carolina, Lady Juliana Penn of the William Penn family, the American

Mohawk military leader, Joseph Brandt (Thayendanegea) of New York, and others. While these accounts provide insight into the lives, experiences, and hardships that elite Loyalists faced as a consequence of their political decision to side with Great Britain, they leave many unanswered questions regarding men and women of the lower and middling ranks who composed the majority of the Tory population in North America.

Examination of the activities, actions, treatment, punishment, sacrifices, and claims of ordinary people—slaves, free people of color, men and women—yields a clearer picture of the social dynamics and realities of life in the American colonies in the late eighteenth century, especially of those occupying the lower orders of society. These usually “voiceless,” largely illiterate people left accounts of their sentiments, losses, and actions in petitions to the Loyalist Claims Commission.⁹ These accounts reflect their understanding of their positions in society and their thoughts and feelings, which would otherwise have been lost.

Examination of the majority of the lower ranks of the Loyalists, their actions and the claims they submitted to commissioners in London enables readers to envision how those without political power participated in society. While Loyalist women did not have the same or equal rights as white, male landowners, they made political decisions and took political actions based on available information about the war. The same was true of slaves, who received news via the “grape vine” on plantations and in towns. Rumors abounded, enticing slaves to flee their masters and join the British to gain their freedom. Free people of color were also privy to gossip, rumors, and political and military information circulating in their cities and towns and

⁸Bernard Bailyn, *The Ordeal of Thomas Hutchinson* (Massachusetts: The Belknap Press, 1974), xi.

⁹Loyalists told their accounts to government clerks who wrote out their stories in long-hand form. The clerks certainly took a few liberties in their use of words. This is evident from the uniformity of the claims themselves and the common use of words such as “zealous,” “humbly,” and the like. The claims represent the claimants accounts and experiences during the American Revolution as told to and recorded by government clerks.

they made their decisions based on that data and the treatment they received from whites in their neighborhoods.

The differences between Patriots and Loyalists can be expressed ideologically. To only look at the Patriots and their activities during this war provides half the picture of this era, the people, and American colonial society under English rule. In this context, largely unexplored is the role of the lower and middling ranks of American colonial society. Many poor and middle level men, women, slaves, and free blacks did not hold any place of power and were delegated to secondary positions in society. They held little political, social, or economic power, and their lives were dictated by elite, white men. By examining these Loyalists, their activities and motivations, it is possible to obtain a better understanding of society, political perception, propaganda, and the people who participated in the American Revolution.

During the war, contributions from Loyalists were significant and they performed extraordinary services for the British government. Women were largely aware of their families' status in the colonies, real and personal estate holdings and the value of such, and were involved in their families' economic activities. Loyalist women were also active in areas of life not considered "domestic." They used the courts and other means to achieve their goals and step beyond their gender-assigned spheres. Women were political beings in a context where the law considered them to be active only in the domestic sphere. Slaves and African-Americans were aware of the politics of the time. They acted politically although not imbued with political power, gave significant aid to the British military, and were conscious of their wartime sacrifices when filing their claims in England. A study of the middle and lower ranking men, women, slaves, and free blacks who fled from America before and during the Revolution reveals that all Loyalists suffered because of their political decisions. Their experiences illustrate the hardships

faced throughout the war. Their claims to the Loyalist Claims Commission give insight into their lives as they describe wealth, possessions, and objects that they considered important.

I intend to look primarily at the experiences of working and lower-ranking women and African-American Loyalists but I will also examine working and lower ranking white male Loyalists for comparison. Historians have studied elite, male Loyalists but by viewing the experiences of those at the lower ranks of colonial society, a better understanding and appreciation can be gained for the sacrifices and activities of all Loyalists. This has not been done in the past. Little attention has been given to the study and evaluation of the lower sort in American, Revolutionary society. By studying this subset of Americans, compounded by the added stigma of their political alliance, this study will help illuminate what the lower ranks of American society were like prior to and during the war and the significant amount of losses they incurred. Not all white men could vote in colonial America. White men were in control of colonial society; those whose economic status put them at the bottom had much less, if any, power than their wealthier counterparts. Suffrage was usually tied to a man's economic worth as well as to the color of his skin. Looking at men of the lower sort affords a better understanding of the colonial and revolutionary experience.

The claims filed by Loyalist women, slaves, free people of color, and some white men, give a more complete and complex picture of economic and social minorities in the colonial era than previously available. This is true for several reasons. First, few historians focus on the losers in history. Victors dictate how history will remember them and thus they chose to ignore those who chose the wrong side of the battle. Secondly, the Patriots' history has been examined while their Loyalist counterparts, especially those of the economic, social, racial, and gendered minorities have been largely ignored. This group has been virtually invisible due to their

“voicelessness” in American history and in the American record. This group contained a large number of illiterate or marginally literate individuals, who left few written records. For those within this group who were literate, had they left written records in the form of diaries, letters, memoirs, and the like, it is very unlikely that they would have been preserved for posterity. The Loyalists claims were only preserved because they were government records, otherwise, they too might not be available for study. A contextual analysis of various claims from a variety of colonists provides a general picture of Loyalists from all backgrounds and a specific impression of the daily lives of women, slaves, and free blacks during the Revolutionary War. This helps to make the Loyalists appear more human and less traitorous than previously suggested.

As a source of information, the memorials or claims are bountiful and confounding. The source is munificent in its seemingly unlimited information and raw data, but does contain multifarious difficulties for the researcher. The Public Records of Great Britain have some inherent eighteenth century quirks. The claims were all hand-written by several different clerks. The records were transferred to microfilm to preserve them for future generations and to make them accessible to the general public. Prior to being microfilmed, many of the original claims were damaged by moisture, insects, molds, light, and/or other factors that blurred portions of the text, making sections of them unreadable. Throughout the claims, and even within the same document, the spelling of names and words is erratic. Clerks employed unusual abbreviations and used unclear terms and references and incomplete names are the norm.

Similarly, the claims do not always provide complete information. Often, clerks, and/or claimants, omitted first names of one or both the claimant and/or witnesses. Neither did they always record complete addresses and filing dates were sometimes missing. Difficulties arise from the absence of spouses' names, the value of estates, the number, age, sex, and names of

children, and other facts. When available, I have used the full information concerning a claimant's name, losses and compensation in this work. If such information is lacking it is an indication that it is absent in the claims records; the omission is not mine.

The claims were uniform in their format and tended to follow a routine pattern, making them easier to read and allowing unusual cases to be more readily identified.¹⁰ They also suggest that Loyalists solemnly submitted these formal documents to the Commissioners after careful and painstaking attention. The Commission required five copies of each claim.¹¹ Claimants who accompanied their petitions with authenticating documentation such as deeds, bills of sale, letters of reference, and the like had a better chance to receive payment.¹² The format of the claim was simple and generally consisted of eight parts. The first part of the claim was a statement of purpose; next was a "...declaration of unswerving [and] eternal allegiance to Great Britain;" thirdly, there was a general description of losses; then a plea, and a detailed description of all losses. Claimants added their total monetary loss.¹³ Testimony from witnesses followed and the claimant usually included a sworn oath confirming the facts in his or her claim. The same information is provided several times.

Determinations and decisions also followed an identifiable and somewhat predictable paradigm of approximately eight sections or parts. The decision listed the claimant's name, the date, and where they were from (in the colonies), it restated the claim briefly and discussed proof or lack of proof of the refugee's loyalty to Great Britain. Next, the Commissioners listed their determination, they (the Commissioners) noted the losses again, and provided an evaluation of the evidence and its proof (or lack thereof). Commissioners next listed

¹⁰Brown, *The Good Americans*, 180-181.

¹¹Norton, *The British Americans*, 197.

¹²*Ibid.*, 197.

the claimant's present address, the amount (if any) of the stipend or allowance, and the date they scheduled the payments to begin. Payments could be immediate, retroactive up to a year, or delayed for six to twelve months, depending on the Commissioners' decisions. Occasionally a payment was a one-time lump sum, although this was not the norm.¹⁴

Even after the Claims Commission awarded a Loyalist compensation, the process was not complete. The method established for “collecting allowances was exceptionally complex,” and might be fraught with difficulties and expenses. The Claims Commission specified a yearly sum, which Loyalists collected four times a year. Each claimant went to the Treasury, individually, to get his/her allotment, although they could authorize someone to collect the money in their stead. Once at the Treasury office, “Treasury clerks deducted a fee from each sum and the Loyalists were expected to tip the office doorkeep,” so claimants never left the Treasury office with their full payment. In addition, “only Milward Rowe[, Esquire, a clerk in The Lords of the Treasury office] was authorized to make the payments.” So, if he was ill, absent, or otherwise indisposed, the Loyalists were denied their payments.¹⁵ If Rowe was not working, Loyalists living outside of London, might travel quite a distance to collect their quarterly payment and spend more money than they would receive on transportation, food, and lodgings.

An allowance was not awarded to every claimant. The Claims Commissioners disallowed some memorials due to lack of evidence, unreliable witnesses, and/or failure to prove any substantial losses. While some claimants exaggerated the value they assigned to their land and possessions, few manufactured wholly false claims. According to Mary Beth Norton in her article entitled “Eighteenth-Century American Women in Peace and War: The Case of the

¹³Ibid., 198.

¹⁴See *American Loyalist Claims*, reels 99-101 for decisions.

¹⁵Norton, *The British Americans*, 59-60, 52-53.

Loyalists,” “...the commissioners found deliberately fraudulent only 10 of the claims submitted to them, and although they disallowed others for ‘gross prevarication,’ none of the claims falling into either category were submitted by women.”¹⁶ In an effort to get better settlements and “to prevent mendacious Patriot sympathizers from submitting successful claims” Loyalists were honest about their schedule of losses and about informing on false and misleading testimony and illegitimate claims.¹⁷ The Loyalists also decreased the total amount of their own losses in an ingenuous and false belief that the Government would grant them complete reparation of the reduced total. The belief was naïve for it was impossible for the British government, or any other government, to pay out such large amounts of money.¹⁸

The Commission was very thorough in its investigation of any and all claims. Few Loyalists made fraudulent claims due to the numerous experts, witnesses and background information the Commissioners had gathered.¹⁹ If a claimant were proven to have contributed a false claim, he or she would never be eligible to apply for compensation again. The Commission aimed to

establish what had been lost specifically by loyalty and then come to a fair appraisal of the cash sum--thus the Commissioners had to be familiar with the differing values of the various colonial currencies, and had to be able to appraise everything from, say a brass bedstead in Boston to thousands of acres of frontiers land in Pennsylvania to a town house on Broadway in New York.²⁰

The Commission’s goal was to accurately assess the losses Loyalists suffered due to their political ties to Great Britain and activities during the war. The Commissioners also need to be acquainted with the various colonial currencies, land values, and appraisals of various items

¹⁶Mary Beth Norton, “Eighteenth-Century American Women in Peace and War: The Case of the Loyalists,” 389, n. 9.

¹⁷Norton, *The British Americans*, 193-194.

¹⁸*Ibid.*, 193-194, 213-214.

colonists owned to fairly compensate losses. As the number of claims rose, Commissioners devoted more and more attention to the service and fealty that Loyalists exerted for the crown, “Loyalty, Wilmot later wrote, was to be the cornerstone, the groundwork of the whole.”²¹ Reliable and important witnesses and affidavits proved to be even more vital to proving one’s loyalty, especially with all of the competition to gain allowances in an era of raising government and public debt. Wallace Brown, Mary Beth Norton, Benjamin Quarrels and some others have used this source, but mainly to discuss men and their accomplishments and sacrifices during the Revolutionary War. While this is useful and important, it does not give us a full representation of how the war affected other groups of Loyalists. The Claims Commissions’ records are very important in helping to uncover more information about Loyalists from all different walks of life. They are first-hand, eyewitness accounts left by a group plagued by illiteracy and who left few extent documents. These Loyalists, who filed Claims, told their stories, in their own words, to clerks who wrote down the accounts. We cannot rely completely on these documents, for it is true that the clerks modified some words and placed the stories within the existing paradigm. As a result, the documents are uniform in their information and often the language used is similar and obsequious. I have also employed documents, letters, diaries, and newspapers to help uncover the Loyalists’ world, their assistance and losses. My purpose is to demonstrate the self-awareness of minorities and their contributions to the Loyalist effort. This was a personal war, which encroached on the lives of men and women and altered their world.

Loyalist leaders banded together and compiled detailed instructions for refugees to follow when filling out memorials, hence their relative uniformity. They supplied the Claims

¹⁹Brown, *The Good Americans*, 183.

²⁰Ibid., 183.

²¹Shenstone, *So Obstinate Loyal*, 153.

Commissioners with lists of typical items and their values, land prices in each colony in America and the advice to "trust no one." They also provided the Commission with types of inquiries to help ferret out fallacious data. The Loyalists believed if they were honest in their claims, eliminated fraud, and minimized the amount requested for compensation, they would receive better settlements.²² The Claims Commissioners regarded the situation quite differently; they would only award the least amount possible as determined by the Loyalist's losses, service, and fealty.

In examination of the various groups of people during the revolutionary era, many specific terms are used. Loyalist or Tory refers to those men and women attached to British rule in colonial America and opposed to independence. Patriot and rebel refers to those Americans who fought against the British and desired independence and freedom from English colonial rule. Loyalists and the British often employed the word rebel to describe those men and women considered their enemies. I have used "rebel" only when quoting from Loyalist or British claims, testimony, or other sources since it is indicative of the colonial people's feelings.

The main purpose of this work is to show that the lower ranks of society, especially women and blacks, did not simply remain in the background of the war. They made political and personal choices and decisions regarding the war and placed their support firmly behind the king and British rule. At the time, society did not expect them to formulate their own opinions and certainly never expected women and slaves to participate as actively as they did in the war. Some Loyalists had ulterior motives for their support of the British, whether based on economics, perceived rewards, future freedom, or some other ideas, but most acted from idealism. They believed in and were attached to the British system of government. They

²²Ibid., 193-198.

remained steadfast in their faith of that system. Since historians often write about victories and the elite, the Loyalists' story has been largely ignored, particularly the stories of those without political or social power. My intent is to give voice to this group and explain their opinions, ideals, and ideas concerning this war. Loyalists were just as passionate, determined, and committed to their beliefs as their patriotic and victorious counterparts.

Much can be done to highlight the participation of women in this war. Recently some historians have enhanced their focus on women but more attention should be paid to the subject to improve our understanding of women's activities in wartime. According to Wallace Brown, well known Loyalist historian and author of *The King's Friends*, the roles women played during the American Revolution were minimal, with a few exceptions. In his account, he mentions a few women Loyalists, but then adds, "Woman's role was usually between the sheets, behind the scenes, or at least behind the parlor curtains."²³ While women did perform in such ways, they also actively provided material assistance to the British. I want to uncover those activities and show that women, as well as blacks and lower ranking men, played a significant part in this war.

In this examination I analyze the reasons people had for remaining loyal to England, the various indignities they suffered at the hands of the Patriots, and how both the American and the British armies used and abused civilians caught up in the maelstrom. Similarly, the British in England did not always treat the Loyalists kindly. The creation of the Claims Commission and the paying of claims filed by Loyalists by the British government appalled the English public because the country was in debt, the war was costly, and inflation was high. The claims filed also reflect the legal, social, and gender biases present in colonial America and Great Britain. Claims and specific legal cases reveal how women and men adhered to the proscribed practices

of the day or altered their own, personal circumstances. Societal deterrents stopped those who ventured beyond acceptable limits.

African-Americans also played a vital role in the Revolution, either as Patriots or Loyalists. The Americans and the British tried to entice free blacks and slaves into their armies. Truths, rumors, and lies circulated regarding the treatment a black man might expect from each side as well as the rewards and penalties associated with joining the other. Black men's choices were not as straightforward and easy to make as one might expect although treatment from both sides was similar; some might join for money, ideology, or better treatment in addition to gaining their freedom. As minorities in colonial society, blacks, like white women, lacked political, social, religious, and economic power.

Many Tories embraced the same concepts, ideologies, and beliefs as their Whig counterparts. Almost any factor could influence a colonist such as economics, political considerations, and fear of reprisals and retaliation. Other factors included devotion to an authority figure and employment—especially if it relied upon America remaining within the British empire. The same factors affected colonial women, although if they were married, people assumed that their political affiliation was the same as their husbands. Such was not always the case. Individual circumstances, their place of birth, propaganda or fear sometimes influenced women and their treatment by Patriots or Loyalists. Although women did not always leave written evidence explaining their choices, their claims can help us to discover what factors most likely influenced their politics.

Mercenaries used by the British army heightened the fury each side felt for the other because Hessians were well-disciplined, ruthless, and did not speak English. Patriots often

²³Wallace Brown, *The King's Friends: The Composition And Motives Of The American Loyalist Claimants* (Rhode

subjected Loyalist men, women and children to abuse, terrorism, and torture. Loyalists lost their material possessions, family members, and friends. Many fled to England, Canada, Nova Scotia, the West Indies, or elsewhere. Exile was very difficult for these Loyalists once the war ended and most discovered, to their horror, they could not return home. They had to reconstruct their lives and families on foreign soil, some at an advanced age, and most with little money or possessions to ease their misery. Those Loyalist who were black and slaves, and were freed because of their service to the British, experienced similar losses but were not as handsomely rewarded by the Claims Commission.

There is a plethora of works dealing with male Loyalists and their experiences. However, information and data pertaining to women Loyalists and minorities is limited. Generally, the information provided about female, slave, and free African-American Loyalists pertains to extremists. Since most of the work on Loyalists concerns the very wealthy, the elite, and the exceptional, the result is a one sided picture of those who favored Britain. A focus on other, less well-known Loyalists will highlight their accomplishments, recognize their hardships and sacrifices, and yield a more balanced account of the lower and middling sorts in colonial America. By utilizing the Claims Commission records, these “eyewitness” accounts from the lower ranks come to life. Prior to this study, they have not been give the due consideration they deserve and help to uncover women’s contributions to the war. Special attention will be given to experiences resulting from gender, ethnic, or racial bias and the reactions to such treatment. Information obtained for this analysis comes from letters, diaries, claims and petitions to the British government, newspapers, and other documents. Loyalists came from all walks of life and represented every level of society. Examination of the Loyalists shows that they were a very

Island: William Morrow and Company, Inc., 1969), 30.

strong, conservative minority in the colonial era. They were willing to work within the British system of empire, regardless of the perceived abuses by the king and Parliament, because they believed the system could be repaired.

Women Loyalists were politically active risk-takers who made a real contribution to the cause. Linda Grant De Pauw examines such themes in *Founding Mothers: Women in America in the Revolutionary Era*. In her section on Loyalist women, she shows how loyal and Patriot women altered their activities during boycotts, times of uncertainty, and the war, which caused them to imbue such activities with political meaning. De Pauw notes that men appealed to women for support in ways which made their daily, typical activities appear politically charged and significant to the cause. She discusses the treatment Loyalist women received from Patriots, and suggests it might vary from that received by male Loyalists.²⁴

Linda Kerber notes similar activities in *Women of the Republic: Intellect and Ideology in Revolutionary America*. She acknowledges that during the revolution women had significantly different experiences than men. Traumas such as rape and public humiliation affected them deeply. Women recruited during the war provided essential services, such as cooking and washing, for the troops and thus were “challenged to commit themselves politically[, and] then justify their allegiance.”²⁵ Kerber raises the query about whether women could be patriotic, and thus political. Through her examination of Patriot women she finds that women could indeed be political.

Mary Sumner Benson provides background information about the era in *Women In Eighteenth-Century America: A Study Of Opinion And Social Usage*. She looks at the position women held in society in theory and reality and tries to make sense of the two. Benson notes the

role society ascribed to women and compares that with the roles women actually played. The various aspects of women's daily life, such as religion, status, and marriage, are also addressed. Benson tries to demonstrate that the ideal and reality were not always the same.²⁶ This bolsters my contention that women skirted conventions of the day to achieve goals.

Sally Smith Booth in *The Women of '76* utilizes diaries, letters, and other sources but not the Claims records. Also, her account of women in the Revolutionary era only devotes one chapter to Loyalists women and their experiences. Cynthia A. Kierner's *Southern Women in Revolution, 1776-1800* looks at women in North and South Carolina. She examines their wartime experiences and utilizes almost one hundred petitions that women submitted to their state assemblies. Such a study takes the experiences of Tory and Whig women but only in the United States. This regional approach is valuable but limited to only women in North and South Carolina. A similar work, *While the Women Only Wept: Loyalist Refugee Women in Eastern Ontario*, by Janice Potter-MacKinnon is a case study of Tory women exiled in eastern Ontario after the war. She utilized numerous primary and secondary sources but does not rely as prominently as I do on the Claims Commission records and how women and blacks from all strata of society lived during and after the war. Also, by only looking at the settlers in eastern Ontario, Potter-MacKinnon provides coverage for that area but omits the experiences that women had in other parts of the empire. Elizabeth Evans' *Weathering the Storm: Women of the American Revolution* looks at eleven women and their lives during the war. Evans examines both Tory and Whig women but such a small sampling only helps us understand the experiences those specific women endured, many of whom are well known in American history, such as

²⁴Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: University of North Carolina Press, 1980), 8-9.

²⁵Ibid.,8-9.

Abigail Adams and Deborah Sampson. Evans bases much of her work on the written diaries, letters, and other documents left by these women. My study looks at the less known, lower ranking women, who left few or no records, and how their lives changed during and after the war as a result of their loyalty.

Many historians believe the Loyalists were conservatives because they resisted change while the Patriots who sought change are regarded as the radicals of the era. Despite such differences, the reasons why men and women chose one side over the other were often similar. The propaganda and politics of the day touched both men and women. While the Patriots swayed some people, others rejected such appeals. Sidney Kaplan and Emma Nogrady Kaplan, authors of *The Black Presence in the Era of the American Revolution*, describe the various reasons slaves and free African-Americans sided with both the Loyalists and Whigs in America. Although considerations of status, ethnic background, and gender affected each person's decision, Kaplan and Nogrady Kaplan note that many of the reasons African-Americans joined the British were similar to those that swayed other minorities. While this may be fact, it is also true that the British promise of freedom in return for service persuaded many male slaves to join the British. This offer was not extended to slaves owned by Loyalists.²⁷

James Walker also discusses the role of slaves and free blacks in *The Black Loyalists: The Search for a Promised Land In Nova Scotia and Sierra Leone, 1783-1870*. He chronicles the motivation which lured blacks to side with Great Britain, and describes their lives in exile.²⁸ Benjamin Quarles' *The Negro in the American Revolution* recounts the plight of blacks, whether

²⁶Mary Sumner Benson, *Women In Eighteenth-Century America: A Study Of Opinion And Social Usage* (New York: Kennikat Press, 1966), 5-50.

²⁷Sidney Kaplan and Emma Nogrady Kaplan, *The Black Presence in the Era of the American Revolution* (Amherst: University of Massachusetts Press, 1989), 3-40.

²⁸James W. St. Walker, *The Black Loyalists: The Search for a Promised Land In Nova Scotia and Sierra Leone, 1783-1870* (Toronto: University of Toronto Press, 1992), 25-50.

Patriot, Loyalist, or neutral. He provides background information on many black Revolutionary War soldiers and describes the conditions they endured while in service. He also discusses the jobs they performed, their claims for compensation, and the treatment they received behind American and British lines.²⁹ These and other sources illustrate why many African-Americans, slave and free, sided with the British.

The political, social, legal, and often economic ramifications of loyalty were dramatic. Many men and women remained loyal to Great Britain but kept their political thoughts to themselves. Depending on geographic location, it was possible to remain unaffected by and uncommitted to the war. Those Loyalists who voiced their convictions became obnoxious to their neighbors. Wallace Brown in *The Good Americans: The Loyalists in the American Revolution* describes male Loyalists' activities, contributions to the British, and their punishment by the Patriots. Often, the penalty for loyalty was quite severe and many paid the ultimate price, death. Brown sees the Loyalists as devoted to the Crown but acknowledges "...ending up a Loyalist almost never implied complete approval of British policy after 1763, usually just the opposite was the case."³⁰ Many Loyalists saw the relationship between the colonies and Great Britain as weakened and believed that such relations could be strengthened and repaired. Some Loyalists, such as Joseph Galloway, proposed ways for mending the system rather than seceding from Great Britain. Loyalism was not an easy decision and Patriots vilified many royal officials and mobs destroyed their property for their decision to support the mother country. One such official was Thomas Hutchinson, royal Governor of Massachusetts, who eventually became the most hated man in the colonies. The virulent and tumultuous feelings of the times are addressed

²⁹Benjamin Quarles, *The Negro in the American Revolution* (New York: W.W. Norton and Company, 1973), 72-150.

³⁰Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Company, Inc., 1969), 29-30.

by Bernard Bailyn in *The Ordeal of Thomas Hutchinson*. Although much evidence exists to the contrary, Bailyn contends that Hutchinson and other Loyalists were out of touch with popular sentiments of the time.³¹

The Loyalist Mind: Joseph Galloway and the American Revolution by John E. Ferling describes the dilemma faced by elite Loyalists. Galloway was a wealthy Pennsylvania politician. In the early years of the political conflict, prior to the outbreak of war, Galloway advocated compromise and proposed a plan for power sharing between Parliament and the colonies. This work helps explain the reasoning that appealed to Loyalists for just such a compromise. It also highlights opposition elements and their basis for rejecting the idea.

Mary Beth Norton's *The British Americans: The Loyalist Exiles in England, 1774-1789* deals with American exiles in England and how they adjusted to life there. Loyalists initially found London a fascinating city, where the many amusements and entertainment occupied their time until England won the war. As the war waged on and Loyalists ran low on money, these amusements lost their appeal. Norton primarily focuses on the experiences of male Loyalists.

The Loyalists suffered significantly for their politics but are not generally looked at compassionately. They loved America and the lives they built here but they wanted to remain within the system that enabled them to achieve the peace and prosperity that many of them enjoyed. Rebellion was a radical move and the end result of a Patriot victory brought with it an uncertain and insecure future, one which might actually be far worse for Americans than living within the British Empire. The Loyalists were not a villainous rabble. Rather, they were loyal and devoted to British rule. They were fearful of unrest, unruly mobs, and the lawlessness that accompanied the war years. If the Patriots were unable to control their people before and during

³¹Bernard Bailyn, *The Ordeal of Thomas Hutchinson* (Massachusetts: The Belknap Press of Harvard University

the Revolution, then how would American society ever achieve stability and order? To the Loyalists, British rule guaranteed order, freedom and liberty. To stray from such a system might lead to the tyranny and enslavement that many Whigs saw in the continuance of colonial administration. The Loyalists valued their part in the British Empire, wanted to repair the existing system, and re-establish the rule of law and order.

The Loyalists were important, simply because they advocated a continuation, with modification and alteration, of the existing system. They believed in the British government and wanted to remain British citizens in the American colonies. They were not a monolithic group, but rather represented all ranks in society and a multitude of ethnic backgrounds. Reasons for their loyalty and service during the war varied according to geography, to place of birth, to stature in society, to propaganda, to age. All these and more affected their ideological attachment to Great Britain.

--CHAPTER ONE--
COLONIAL WOMEN
Political Actors in the War

Society proscribed specific, idealized roles for colonial men and women in America. Economics dictated social status; those who accumulated the most wealth were recognized as the leaders, while those less fortunate usually deferred to their “betters.” Men and women were judged by the color of their skin, ethnicity, religion, and gender. To understand exactly how courageous Loyalist men and women were in their defiant support of the king and British government, we need to understand how men and women of all classes functioned in society. This image of society will reveal what was expected of people, and how the very act of independent political thought was a relative anomaly in an age of discrimination and slavery. Despite their non-political status, women acted politically during the war and skirted existing social and legal proscriptions to achieve their goals.

Prior to the war, most men and women abided by the legal and moral codes of their towns. Life was not easy, especially for women, the poor, the enslaved, and African-Americans. White women of all ranks, as well as free women of color, occupied an idealized, proscribed and gender-specific role dependent upon their status, religion, and discernible power in white society. Social rank shaped the lives of people and determined their educational opportunities. Due to their gender and society’s status for them, women were minorities, and as such, society punished them for their political dissent.¹ The threat of such punishment usually kept women and minority groups under control.

¹Loyalists technically were not a minority according to their actual numbers but many Loyalists were not vocal about their politics, did not openly discuss their decision or actively pursue their cause, thus many Loyalists were invisible. Also, many British troops treated all Americans as the “enemy,” and persuaded many loyal supporters to side with the rebels, due to the many abuses they suffered while their towns were occupied by English soldiers.

Before the outbreak of hostilities, white, male aristocrats who sided with Great Britain were respected members of the community. Men such as Joseph Galloway, Governor William Franklin of New Jersey, and the wealthy Penn family of Pennsylvania, were intricately involved in government, commerce, and politics. During the war, they suffered similar treatment to their lower ranking loyal counterparts. These elite men and their families received society's bounty until they opposed the Whigs. Then their activities made them attractive targets for Patriots. Tory women, who were left alone during the war, were consistently treated poorly during the war. Resentment sprang from the fact that they had made a political choice. Women were not supposed to be political entities. Secondly, they stepped beyond the bounds of their gender-defined sphere, which was to be wives, mothers, nurturers, care givers of children, and domestically adept providers for their families.² When women stepped out of these roles, men, fearing a loss of power, punished women who acted independently.

Social rank in colonial America ran along economic lines. The prosperous elite achieved their status through inheritance, hard work, or marriage. In America, a person could rapidly rise up the social and economic ladder. Such opportunity was open to almost anyone, but was limited.³ Examples abound in the stories of indentured servants who, on completing their term of servitude, prospered. Some freed indentured servants, such as George Taylor of Pennsylvania and Matthew Thornton of New Hampshire, signed the Declaration of Independence, while Charles Thomson of Pennsylvania became secretary for the Continental and Federation

Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Co., Inc., 1969), 226-228.

²Laurel Thatcher Ulrich, *Good Wives: Image and Reality in the Lives of Women in northern New England: 1650-1750* (New York: Vintage Books, 1991), 15, 18, 20-25, 36-50.

³Complete Reference Library, 1995, *Colonists In Bondage: White Indentured Servants*, 1-6. Evidence of this is found in The Public Records of Great Britain, Series 1, *American Loyalist Claims, 1776-1831* (Exchequer and Audit Department, 1972), in the comments of Claims Commissioners.

Congresses.⁴ Many others began life in America as servants and became important leaders in their communities. It is true that such “rags to riches” stories became fewer and fewer as immigration to the colonies increased and available land diminished or was priced out of the budgets of neophyte colonists. Early in colonial history, wealthy plantation owners, especially in Virginia, often bought up all of the available land near the coast and either kept it for their own use or sold it for high prices. More land to the west was available, but often inhabited by migrant Native Americans, wild beasts, French and Spanish settlers, and was distant from established towns and “civilization.” Technically, in England, members of the better sort did not work for their living. They had investments and lived off the interest. In the British colonies in North America, the elite often personally managed their own plantations and businesses.⁵

The middling ranks of society earned a comfortable income which afforded them some of the luxuries of colonial living. Successful men, such as merchants, lawyers, doctors, and traders, worked to add to their wealth and worldly possessions. Women who fit into this middling category included midwives with large practices, newspaper owners, successful seamstresses, tavern keepers, and shopkeepers. Such positions enabled women to work within the accepted sphere of gendered society (and/or sometimes in conjunction with family members, husbands, or business partners) and earn incomes that placed them in the middling ranks. Mrs. Cumming of Charlestown, South Carolina fits into this category. She was a midwife and filed for her lost estate valued at 3,500 pounds. Such success was proof that industrious women achieved economic stability prior to and during the American Revolution.⁶ Although this

⁴Complete Reference Library, 1-6.

⁵R. K. Webb, *Modern England: From the 18th Century to the Present* (Harper & Row, Inc.: New York, 1968), 9-11. Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W.W. Norton and Company, 1975), 60, 220-222, 305. Patricia U. Bonomi, *Under the Cope of Heaven: Religion, Society, and Politics in Colonial America* (New York: Oxford University Press, 1986), 92-93, 97-100, 123.

⁶*American Loyalist Claims*, reels 99-100, 130.

claimant used the title “Mrs.,” it is not clear from her claim whether she was married or single or widowed. It is possible that the title was used as a form of respect due to her age rather than as a true indicator of her status. A Connecticut milliner, Mrs. Griffiths, supported herself and her son prior to the war. She made no mention of a husband, leading one to assume that she was a widow but it is possible that she had never married and used the title “Mrs.” because she was a mother.⁷ Once the war broke out, Mrs. Griffiths sold her stock and furniture, thus enduring no real, tangible losses except displacement from her home country, as a result of her loyalty. She only asked the Claims Commission for a small grant of money to place her son as an apprentice.⁸

In England, the largest number of men from the lower ranks of society included skilled craftsmen, sailors, soldiers, farmers, day laborers, unskilled workers, apprentices, servants, slaves and any who did not fit into the above categories. Women in this group included laundresses, prostitutes, cooks, nannies, wet-nurses, and the like who did not have any really marketable skills but needed to earn a living. Historians, after the Industrial Revolution, categorized this group as “the working classes [which] consisted of ‘artizans and handicrafts,’ common seamen, laboring people and outservants, cottagers and paupers, common soldiers (significantly ranked well below the seamen), and vagrants.”⁹ Not only did this group of largely uneducated men and women earn significantly less money, but they also were not as beholden to society’s proscribed roles of behavior. People in this rank enjoyed fewer rights and were often subjected to cruelty, abuse, discrimination, and inequity in courts of law. The lower orders of

⁷The claims provide a great amount of information but it is not always uniform in nature, leaving historians wondering about the first names of people, gender, ages of children, and other facts which are omitted in some, but not all, claims. Many times, women filing claims will be designated as “widow” or “relic” to denote their martial status.

⁸Ibid., reels 99-100, 219.

⁹Webb, *Modern England*, 28.

society were expected to defer to their social and economic betters.¹⁰ Society not only looked upon the poor with contempt, but also feared them and considered them to be sub-human. Unfortunately, their lot in life was difficult and relatively short; “The vast majority of Englishmen lived on the verge of violence, starvation, degradation, and sudden death.”¹¹ In America, conditions were significantly better. There were wealthy elites in America, but the middle sector of the populace was also doing well, acquiring land, establishing businesses, and building homes. According to Edmund S. Morgan in *American Slavery, American Freedom*, Americans could rise in society, even if they started life as bound servants. But, as Morgan points out, such upward mobility was evident, “As the ranks of the free ceased to swell so rapidly, the number of losers among them declined; and in the eighteenth century as the rich grew richer, so did the poor.”¹² The ability to improve one’s economic situation in America was a reality, unlike the more elusive opportunities in England.

English colonists in America relied on common law, which was a mixture of parliamentary acts, the king's decrees, and judicial precedent.¹³ Common law, predicated on the theory of *stare decisis*, meant that laws remained in effect until they were toppled.¹⁴ Parliament created and enforced laws. Judges applied the laws to everyone: men, slaves, free African-Americans, American Indians, minorities, and women, but they were not equally applied. A person's sex, social class, and wealth influenced the outcome of a jury's decision. Women, African-Americans, and Indians, while judged by juries, were not permitted to sit on them. The colonies followed England's example in many areas, especially in restricting women's rights,

¹⁰Bonomi, *Under the Cope of Heaven*, 92, 97-105.

¹¹Webb, *Modern England*, 28.

¹²Morgan, *American Slavery, American Freedom*, 340-341.

¹³Peter Charles Hoffer, *Law and People in Colonial America* (Maryland: The Johns Hopkins University Press, 1992), 4.

¹⁴*Ibid.*, 5.

"Women have no voyse in Parliament, they make no lawes, they consent to none, they abrogate none. All of them are understood either married or to be married and their desires are subject to their husband...."¹⁵ Women occupied this position regardless of their desires, inclinations, or circumstances. Men, and the laws they made, regulated or affected all aspects of women's lives: youth, marriage, motherhood, and widowhood.

The law's effect on women was pervasive and all encompassing. Children were technically chattel who belonged to their fathers. Fathers could contract them out as workers or apprentices, signing contracts and collecting wages from their children's work. Fathers also had the sole power to allow their daughters to marry and they could have marriages annulled if the daughters married without their fathers' consent. If a person was under the age of twenty-one, parental consent was needed to marry. The wedding announcement had to be published for three consecutive weeks. This helped prevent marriage at too young an age, kept the unfit from matrimony, and "...extended into adulthood a father's control over his children's wages and services." If a woman was guardian of her children, she did not possess the authority, by law, to disallow her children's marriage.¹⁶ Once a person turned twenty-one, parental consent was not needed, but few people married mates of whom their parents disapproved since they could be disinherited.

Once a girl reached maturity, which ranged in age from fourteen to twenty-one, she was considered feme sole if she was unmarried.¹⁷ She could, more or less, control her own destiny. A feme sole could sign contracts, own a business, control her own wages, buy and/or sell

¹⁵Laura Gowing, "Language, Power and the Law: Women's Slander Litigation in Early Modern London," in *Women, Crime And The Courts In Early Modern England*, edited by Jenny Kermode and Garthine Walker (Chapel Hill, North Carolina: The University of North Carolina Press, 1994), 26.

¹⁶Marlene Stein Wortman, *Women in American Law: Volume 1, From Colonial Times to the New Deal* (New York: Holmes and Meier Publishers, Inc.), 60.

¹⁷This is only true if the girl has not married prior to reaching maturity.

property, and distribute property and chattel in her will. A feme sole could also sue or be sued in her own name in a court of law. This status afforded women the most freedom but was publicly and socially discouraged, since women were viewed as "unproductive" if they were not wedded and having babies. Society emphasized that girls' duty was to become wives and mothers. Society portrayed motherhood as women's true purpose in life.¹⁸ Both men and women strongly dissuaded girls from doing anything else. Since marriage and motherhood were so strongly encouraged, it accounted for the large number of American widows with children filing claims in England.

If a young woman did not marry, she was expected to live with her brother, or some other married male relative, and help care for his family. The male relative would assume the responsibility of caretaker and provider for the single woman.¹⁹ The only other real option available to the young, unmarried woman was to live with a family and serve as their nurse, nanny, or servant. Society did not expect or approve of a young woman living on her own without the supervision of a male relative or guardian. The power of such social control was enough to dissuade even the most independent and self-supporting woman from even trying. Elizabeth Allen was a single woman who lived with her brother, the Reverend Bennet Allen, Rector of All Saints, in the colony of Maryland when the American Revolution broke out. She filed a claim on her own behalf for her services to British soldiers and prisoners of war in the colonies, as well as for her brother's losses. Since she was a feme sole, she could do so without any problems. Reverend Allen left Maryland in 1775, leaving behind a home, family, and some personal effects.²⁰ Miss Allen fled to England in 1780. When she filed her claim, her brother

¹⁸Ulrich, *Good Wives*, 6.

¹⁹Jannice Potter-MacKinnon, *While the Women Only Wept: Loyalist Refugee Women in Eastern Ontario* (Montreal: McGill-Queen's University Press), 7-8.

²⁰*American Loyalist Claims*, reels 4-8, 208.

was unable to aid her financially and she was not able to find work. Hence she applied for recompense for the help she gave to the British cause.²¹ Unfortunately, like many women in her position, Elizabeth Allen's future security was dependent upon the mercy and beneficence of the Commission, her brother, or marriage. Regardless of her feme sole status, men would ultimately affect her future fate.

The next stage of a woman's life began after her marriage. Once she wed, she entered into "civil death"²² or the status known as feme covert.²³ This legal status meant that a woman and man became one legal being, and the man was recognized as the representative of that union.²⁴ The woman could not sue or be sued, sign contracts, control and/or keep her own wages, or buy or sell property. She could not even bequeath items, even if she had brought those real or personal items into the marriage. An example of this is found in the claim filed by Colonel William Tyng for the loss of his property, as well as that acquired from his wife. He also filed for his mother-in-law, Mrs. Elizabeth Ross. Colonel Tyng lived in Massachusetts Bay prior to the outbreak of the troubles. He was loyal to Great Britain and served as Assistant Commissary for the British army from December, 1777 until the end of the war. The Whigs looted and demolished Tyng's property, as well as the property his wife, Elizabeth Ross Tyng, inherited from her father and the property she would inherit from her mother, Elizabeth Ross. Tyng married Elizabeth Ross in 1769. Mrs. Tyng inherited half of her father's property in 1768, and would inherit the other half upon her mother's death, as stated in her father's will. Colonel Tyng filed for his mother-in-law, Elizabeth Ross due to her advanced age, and served as a witness in

²¹Ibid., reels 4-8, 208.

²²Civil Death is a term coined by Justice Blackstone and which aptly described the legal position of married women in English and later American society.

²³Glenda Riley, *Inventing the American Woman: An Inclusive History Volume I* (Wheeling: Harlan Davidson, Inc., 1995), 9. Linda K. Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (New York: W. W. Norton and Company, 1980), 140-142.

her claim. Tyng lost some of his wife's property when the British burned his store in Falmouth as well as a wharf brought into the marriage by his wife. The total losses stated in the above mentioned claim amounted to approximately 4,055 pounds, placing this family in the middling ranks of colonial society.²⁵ In another case, Captain Ibbetson Hamer filed a claim, which illustrates the concepts of *feme covert* and "civil death." Captain Hamer's claim was for lost property, services, and goods. He filed for himself, an officer in the British Army for over twenty years, and for his wife, Sarah Howard Hamer, widow of William Howard, Esquire. Captain Hamer claimed that his total losses were 7,842 pounds. Mrs. Hamer brought to the 1776 marriage a large tract of land and a house called Castle Howard in New Jersey, out buildings, slaves, another large lot of land, gardens, furnishings, bonds, interest from rents and losses, and other miscellaneous items reflected in the claim. Hamer personally claimed the loss of promotion, due to the fact that he was a Patriot prisoner for more than a year, and the loss of a limb while at war for England. The Patriots targeted Hamer as a result of, "His principles and duty as a British Subject and Officer having subjected him to a total deprivation of Property and reduced a valuable and once wealthy Woman [Mrs. Hamer] to a State of great and unmerited distress." Although the language used is rather dramatic, the Hamers' hardships were real.²⁶

Captain Hamer provided certificates that affirmed his fealty and military service, signed by Sir Henry Clinton, Sir William Howe, and Lord Cornwallis. He also furnished the will of William Howard, Esquire who left his property to his wife, Sarah Howard (Hamer), an inventory of his estate, a list of lost bonds, and several affidavits assuring Hamer's credibility and honest character. Captain Hamer also had several witnesses (John Witherspoon, President of the

²⁴Ulrich, *Good Wives*, 7.

²⁵*American Loyalists Claims*, reel 11, 37-46. Potter-MacKinnon, *While the Women Only Wept*, 70-71. Cluade Halstead Van Tyne, *The Loyalists in the American Revolution* (New York: Peter Smith, 1929), 277-280.

College of Prince Town in New Jersey, Daniel Coxe, and Bernardus LeGrange,) who described his property, estimated its value, and acknowledged his service in the British military.²⁷ Captain Hamer, like other men of the era, used the feme covert status of his wife, recovered her property and also collected for his own losses during the war.

British army Major Brereton Poynton, Esquire filed a claim for himself and his wife. Mrs. Poynton served as a witness to her husband's claim because Major Poynton stated that "his small knowledge of affairs so remote from his professional line, cannot so accurately describe and ascertain, as come with the ability of his wife to perform, from her more intimate acquaintance with this business and the evidences to whom he refers."²⁸ Mrs. Poynton also inherited property from her first husband, Samuel Rutherford. Major Poynton served as Captain of the 21st regiment of foot when the war broke out in the American colonies. He married the former Mary Bond Rutherford and acquired her estate consisting of a house and lands.²⁹ She testified to the amount of bonds, confiscation of property, loss of personal items, and ill treatment she received as a Loyalist and devoted wife of a British officer. The fact that "she rather spoke her mind too plain[ly]" regarding her fealty to England did not endear her to Patriots in the colony of New Jersey.³⁰ This woman, like many in similar situations, knew the amount, value, and condition of her deceased husband's property and could testify about it to the Claims Commissioners.

Although the law did not recognize married women or their rights, there were a few ways to circumvent the law, which preserved married women's rights to their businesses, property, and wages. One method women used to retain full control over their real and personal estates

²⁶ *American Loyalist Claims*, reels 14-16, 291-299.

²⁷ *Ibid.*, reels 14-16, 291-299.

²⁸ *American Loyalist Claims*, reel 13, 302.

²⁹ *Ibid.*, reel 13, 302-309.

was to draft a pre-marital contract with their husbands-to-be. Such contracts were trusts, anti-nuptial agreements, or jointures. Trusts usually kept the property for the use of the women and her children. Anti-nuptial agreements defined women's property, its use, and her ability to bequeath it upon death. This was frequently used by widows to protect their property or businesses from their new husbands. Jointures elaborated the property women would receive upon their husbands' deaths. Most often, use of a trust or jointure reflected the desire of women's male relatives, such as a single woman's brother(s), father, or uncle, to control their property, ensure females would be adequately provided for, and to prevent husbands from obtaining the women's property.³¹ At other times, premarital contracts were used by husbands to protect their children's inheritance in case the mother remarried after her husband's death.

The "Marriage Contract," dated January 20, 1664, between Mrs. Alice Nicholls, a widow from Boston, and Mr. Thomas Clarke of Plymouth, Massachusetts illustrated how a widow protected her property from her husband-to-be. The contract stated "the housing and land now in possession of the said Alice Nicholls shall be reserved as a stock for her son, John Nicholls, for his to enjoy and possess at the age of twenty and one years."³² Mrs. Nicholls also asserted her right to devise her estate however she saw fit. If Mr. Clarke predeceased her, she retained full possession of her estate and would receive two hundred pounds from his estate.³³ This contract safeguarded Mrs. Nicholls' estate and also provided for her son, thus allowing her to enter into the marriage with confidence and an easy mind.

³⁰Ibid., reel 13, 312. Potter-MacKinnon, *While the Women Only Wept*, 44-46.

³¹*American Loyalist Claims*, reels 13, 19-24. Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America*, 140-143.

³²W. Keith Kavenagh, , editor, "Marriage Contract," *Foundations of Colonial America: A Documentary History, Volumes 1-3* (New York: Chelsea House Publishers, 1973), vol. 1, 667.

³³Ibid., vol. 1, 667.

Another example of an antinuptial agreement was the “Marital Agreement Between Ebenezer Vereen and Catharin McKiver,” both of South Carolina, dated September 8, 1784. Mr. Vereen agreed not to seize his future wife's estate upon her death. He stated in the contract that "...all of her fortune...that is hers now, or that may be hers hereafter, shall be wholly in her power at the time of her Death...to Will, Give or Dispose of in any form or manner...to be the property of those that she may think proper...for Their Use...forever."³⁴ Through this document, Mr. Vereen relinquished his control over his wife's property after her death, but he retained usage during their marriage. This type of agreement might have simplified Loyalist women’s claims during and after the war, but unfortunately the Whigs rarely honored the law when it pertained to Tories’ cases.

On February 26, 1794 a bequest was made by Nathan Tart of South Carolina to his daughter Sarah. This bequest gave the daughter property and chattel "to her own separate and sole use, free from Debt and Engagements, of her intended husband..."³⁵ This ensured Sarah Tart's possession of her property even after her marriage, and it also protected her property from her husband's creditors. If Tart was a Patriot, this contract most likely would be honored, but if she had married a Loyalist, the Patriot government would negate this contract and confiscate her property. Patriots continued to terrorize Loyalists and confiscated their land even after the end of war. Loyalists complained bitterly about Articles V and VI in the Treaty of Paris which failed to provide for their property.

Although protective legal devices existed and such documents were designed to protect women’s property, the rule of feme covert stated that husbands could not sign contracts with

³⁴Wortman, "Marital Agreement between Ebenezer Vereen and Catharine McKiver," *Women in American Law*, 41.

³⁵Wortman, "Bequest to Sarah Amelia Tart by her Father," *Women in American Law*, 41.

their wives because they were one legal entity and thus would be contracting with themselves, "...nor the husband make a grant or gift to the wife, nor the wife have personal estate, to her sole and separate use."³⁶ In Marlene Stein Wortman's, *Women in American Law; Volume 1, From Colonial Times to the New Deal*, an illustrative case is found. In *Dibble v. Hutton* (Connecticut, 1802), Mary Hutton, widow of Samuel Hutton, petitioned the court for money owed to her from her husband's estate. Mrs. Hutton claimed that in return for her agreement to sell land jointly owned by herself and her late husband, her present husband agreed to give her 192 pounds for her own personal use. Upon Mr. Hutton's death, the executor of the will, Mr. Nehemia Dibble demanded that Mrs. Hutton return the 192 pounds, which he claimed was part of the estate. The chancellor, who presided over the case, stated that "some kinds of contracts are recognized and enforced, but a wide latitude is left for the discretionary power of the chancellor."³⁷ The chancellor ruled against Mrs. Hutton and she had to return the money. While the law allowed feme covert to protect their property during marriage, men retained control over the judicial and legal systems of the colonies and frequently ruled in favor of other men. During the revolution, Patriot men capitalized on their control of state courts and illegally seized real and personal estates, regardless of any agreements made prior to marriage or death. Many Loyalist women suffered economically and materially as a result.

Not all cases were decided against the feme covert. In *Barnes v. Hart* (Pennsylvania, 1793), Margaret Erwin, prior to her marriage to Matthew Henderson, owned a large amount of property which produced rent, and she stood to inherit more land upon her mother's death. To protect her estate and her ability to dispose of it by a will, Margaret Erwin signed an anti-nuptial agreement with Matthew Henderson which stated that she could devise her estate upon her

³⁶Wortman, "Dibble v. Hutton," *Women in American Law*, 32.

death, and if any of her estate was sold by him, she could recover the value of it from his estate. Mrs. Henderson died in 1790 and bequeathed her estate to her relatives. Mr. Henderson opposed the bequest. The court decided that the anti-nuptial agreement was a valid contract, made without deceit or duress, and thus was lawful.³⁸ The fact that judges and courts recognized this anti-nuptial agreement as valid is significant. It shows that, in some places, Americans were slowly realizing that women should have some protection over their property. The contributions of Patriot women aided in this realization, although the actions of Tory women convinced some men that women could not be trusted in making political or legal decisions.

The laws pertaining to feme covert property rights differed from colony to colony. In New York on May 13, 1691, the General Assembly addressed the rights of married women. The *Act Declaring What are the Rights and Privileges of Their Majesties' Subjects Inhabiting within Their Province of New York*, stated "That no estate of a feme covert shall be sold or conveyed but by deed acknowledged by her in some court of record."³⁹ The act provided that the woman was to be secretly questioned to affirm that she was not coerced into the action.⁴⁰ A similar law was established in Connecticut in October, 1723. The *Act Preventing the Sale of Real Estate of Heiresses without Their Consent* stated that due to the rising values of property in Connecticut, and the distress of feme coverts who had no protection under the law, a husband would not be allowed to sell his wife's property without her written consent. Any transaction made without the woman's consent would be declared invalid.⁴¹ In Georgia, *An Act to Enable Feme Coverts to*

³⁷Ibid., 32-33.

³⁸Wortman, "Barnes v. Hart," *Women in American Law*, 44.

³⁹Kavenagh, "Act Declaring What are the Rights and Privileges of Their Majesties' Subjects Inhabiting within Their Province of New York," *Foundations of Colonial America, Volume 2*, 897.

⁴⁰Kavenagh, "Act Declaring What are the Rights and Privileges of Their Majesties' Subjects Inhabiting within Their Province of New York," *Foundations of Colonial America, Volume 3*, 2897.

⁴¹Kavenagh, "Act Preventing the Sale of Real Estate of Heiresses without Their Consent," *Foundations of Colonial America, Volume 1*, 651.

Convey Their Estates, and for Confirming and Making Valid All Conveyances and Acknowledgments Heretofore Made by Feme Coverts, dated April 24, 1760, enabled a feme covert to protect not only her estate, but also the land she would acquire under her dower rights. According to this act, a husband had to obtain his wife's consent when selling land in which she had a full or partial interest. This act went further than the other married women's property laws. It protected women in Georgia from their husbands' squandering their estates and the woman's dower property, which she would inherit after his death.⁴² In Virginia, in 1776, *An act to enable persons living in other countries to dispose of their estates in this commonwealth with more ease and convenience*, helped to protect the property owned by feme coverts living out of the country, which included many Loyalists. The act required a husband to obtain his wife's permission to sell her land. She had to appear before two justices or magistrates in the town where she lived and be secretly examined to confirm her free will agreement to the sale.⁴³ The increased attention in protecting feme coverts' rights stemmed from economic factors. More and more families were sent into privation because husbands wasted family funds and property. By allowing women a modicum of control over their own property, the courts hoped to prevent poverty which drained the parish poor funds.⁴⁴ The Revolutionary War removed this protection for Loyalist women and men. After the war, few states protected Loyalist feme covert property rights.

Another way women established their rights during marriage and controlled their own businesses was to become feme sole traders. Most often, married women needed to obtain their

⁴²Kavenagh, "An Act to Enable Feme Coverts to Convey Their Estates, and for Confirming and Making Valid All Conveyances and Acknowledgments Heretofore Made by Feme Coverts," *Foundations of Colonial America*, Volume 3, 2505.

⁴³Winfrey K. Waverly, *The Laws of Virginia: Being A Supplement To Hening's The Statutes At Large, 1700-1750* Volume 9, (Virginia: The Virginia State Library, 1971), 207-209.

⁴⁴Riley, *Inventing the American Woman*, 120.

husband's permission to do this. This status meant that married women could conduct business and were responsible for their own actions. If the women were sued, it would not affect their husbands' estates. Married women could even devise the property acquired through their own endeavors. Deserted women and sailors' wives could petition their colonial legislatures to acquire such status. Although not stated, it is easy to see that the legislatures granting such status acted in an effort to keep women and their dependent children off poor relief. Thus it was motivated by economic, rather than liberal, concerns. War would cause many women to support themselves because their husbands had died or were crippled as a result of their service. During most wars, women remained at home to run farms, plantations, and their families' businesses until the men returned from battle.

In Pennsylvania, the assembly, in 1718, responded to the plight of women living alone by passing an *Act Concerning Feme Sole Traders* to prevent men from squandering their own pay as well as money earned by their wives. The act granted all wives whose husbands were at sea for long periods of time feme sole trader status with all of the rights and privileges. The act also stated that the husbands could not sell part or all of their estates without making provisions for the care of their families or the sale would be declared null and void.⁴⁵ The court reserved the right to confiscate and sell the property of men who neglected their families, who would otherwise be dependent upon the towns for support.⁴⁶ Whigs, during the war, were inconsistent when applying such rights to the wives and widows of their enemies. While perusing the claims, one can find many examples of Patriots seizing Loyalist women's property and inheritance, ignoring their economic and legal rights as widows to one third to half of their husbands' property.

⁴⁵For examples from New York, South Carolina, and Massachusetts, see Kerber, *Women of the Republic*, 148-149.

Prior to the Revolution, South Carolina passed, *An Act Concerning Feme Covert Sole Traders*, in 1744. This act acknowledged the difficulties that feme coverts, working in the capacity of sole traders and without the legal protection which that status afforded, had in suing, signing contracts, and collecting debts. The act enabled feme covert sole traders to use their husbands' names while suing. It also granted them feme sole status and rights for their trading.⁴⁷

In South Carolina, in 1795, the court upheld the rights of a feme sole trader in *Megrath v. Robertson*. Ann Robertson acted as a feme sole trader for years with her husband's verbal permission and knowledge. The Robertsons had no children. Upon Mrs. Robertson's death soon after that of her husband's, her mother, Mrs. Megrath, successfully made a claim to inherit her daughter's estate. Although only a few examples are available, many South Carolina women were granted liberal status.⁴⁸ In spite of the legal advances for women's property and economic rights, during the American Revolution, Loyalists' wives and children often became economically dependent on the town or village in which they resided. Their husbands were in other states, fighting against and killing Americans, while the Patriots were often forced to provide a modicum of provisions for Loyalists' families. Many such families were often sent behind British lines. Some Patriots did not favor such actions, reasoning that it would boost the morale of their enemies. Policies regarding this problem were inconsistent and differed from region to region.

Women in the eighteenth century also acted independently as deputy husbands, a term coined by Laurel Thatcher Ulrich. As a deputy husband, the wife could take over her husband's job or business in his absence. This usually occurred in family businesses such as stores,

⁴⁶Wortman, "An Act Concerning Feme Sole Traders," *Women in American Law*, 95.

⁴⁷Ibid., 97.

⁴⁸Wortman, "Megrath v. Robertson," *Women in American Law*, 98-100.

taverns, mills, and the like. Women were familiar with the business and kept it running smoothly while their husbands were incapacitated or away. This role was common and women coped adequately with their new positions.⁴⁹ The role of deputy husband allowed married women to purchase supplies, pay bills, bank, and perform all other aspects of running their businesses. During times of war, women ran their plantations, businesses, farms, families, and managed the servants, while their husbands served in the military. Such was the case during the American Revolution and women, whether Tory or Whig, did whatever was necessary to keep the home front running.⁵⁰

Mrs. Cowperthwaite and Mrs. Marple served as deputy husbands by representing their husbands in the claims process. Mrs. Cowperthwaite's husband, Hugh Cowperthwaite, was unable to attend the Commissioners' hearing regarding his case. His health was very poor and he sent his wife in his place. Mrs. Cowperthwaite served as a witness to the veracity of her husband's claim and provided certification of his illness from the local justice of the peace.⁵¹ Ann Marple provided testimony for her husband, Northrup Marple, a loyal British refugee. As a witness, she confirmed his war activities with British troops and his losses. Mr. Marple was unable to attend the hearing, because he "is kept at home by the sickness of a Child."⁵² This case actually appears to demonstrate a role reversal for the husband and wife. Northrup Marple served as care-giver and nurse to his children while his wife took care of the family's business affairs.

A similar example of such activity is found in the claim filed by Eleanor Lestor. She was a Loyalist who ran a business during the American Revolution. She originally came to South

⁴⁹Ulrich, *Good Wives*, 9.

⁵⁰Cynthia A. Kierner, *Southern Women in Revolution, 1776-1800: Personal and Political Narratives*, (South Carolina: University of South Carolina Press, 1998), 88-90.

⁵¹*American Loyalist Claims*, reels 14-16, 22-23.

Carolina from Ireland in 1770 and lost her husband the next year. Mrs. Lestor, as a feme sole, supported herself by continuing the operation of a boarding house and pub. She was attached to the English crown and verbalized her opinions regarding the war, stating that she was “first to welcome the Royal Army” into the area. Because “she talked too freely against the Americans” and the fact that the Patriots suspected that she provided British sailors a safe place to hide, she was compelled to flee to England in 1782 where she would be safe from Patriot abuse. Her loyalty, and perhaps her imprudent political stance, actually resulted in her South Carolina shop being burned to the ground. Losses certainly made her eligible for compensation. Her advanced age, seventy-five years, would also make her case especially sympathetic because she would not be able to support herself in her declining years.⁵³

Many women in the eighteenth century were left as widows or relicts. This status afforded them a great deal of freedom and many rights because they assumed feme sole status again. Most widows needed to support themselves and their children and thus had to work. Widows would take in boarders, open a shop, work as seamstresses or continue their husbands’ business. A widow was entitled to her portion of the estate. This widow’s portion was one-third of the real and personal estate owned by her husband. This dower right legally protected the wife/widow from a husband who left her less than one-third of his estate (or even nothing at all). Since most men died intestate, this law guaranteed the wife would get some of the estate. The dower right also protected the widow from her own grown children who might try to seize the entire estate. The laws, which governed dower rights, differed throughout the colonies. These laws mainly affected people who died intestate and were quite rigidly followed. In Plymouth, the *Sale and Inheritance of Land* law of 1636, stated that if the husband died with or without a

⁵²Ibid., reels 14-16, 25.

will, the wife was entitled to one-third of the estate.⁵⁴ In Massachusetts, 1647, the *Laws Affecting Property Ownership* provided that the widow was to receive one-third of the land, including any houses, outbuildings, and rents associated with it, and one-third of the husband's personal estate, including chattel, money, and goods for use during her lifetime. She had to keep all the property, such as the house, buildings, and fences acquired from her dower, in good repair.⁵⁵ In New York, inheritance law was more specific. Under the 1665 *Administration of Estates*, the court appointed men from the town to inventory the estate of a deceased male. After his funeral, debts were paid, then the widow received her one-third portion for her lifetime, and the children received the remainder, the eldest son getting a double share. If the deceased had no son, the daughters enjoyed equal shares of the estate.⁵⁶ During the revolution, many Patriots ignored this law and seized Loyalists' property, regardless of the widow's and children's rights. An example was Sarah Valentine Simpson, a New York widow and shop keeper. During the war, Mrs. Simpson "was in Consequence of her Loyalty and Attachment to the British Government deprived of her Property by Command of an Officer in the American army..."⁵⁷ A Captain Lewis of an American Rhode Island regiment threatened Mrs. Simpson and tried to get her to leave the city. When his attempts failed, Lewis proceeded to loot and steal all of her property, some of which was inherited from her father, some from her husband, David Valentine, the remainder earned from her shop and boarding house.⁵⁸ Lewis stripped the shop of its merchandise and emptied her home of its contents.

⁵³Ibid., reels 48-50, 358-361.

⁵⁴Kavenagh, "Sale and Inheritance of Land," *Foundations of Colonial America, Volume I*, 637.

⁵⁵Kavenagh, "Laws Affecting Property Ownership," *Foundations of Colonial America, Volume I*, 638-640.

⁵⁶Kavenagh, "Administration of Estates," *Foundations of Colonial America, Volume 2*, 1538-1540. Since New York was once under Dutch rule, known as New Amsterdam, many of its inhabitants relied on Dutch law and tradition which treated women more equitably than did English law.

⁵⁷*American Loyalist Claims*, reel 25, 24.

⁵⁸Ibid., reel 25, 27-29.

The laws were not uniformly enforced throughout the colonies. In the memorial filed for Andrew Mercereau by his attorney, the deceased bequeathed his property to his wife, Phebe Mercereau, for her life time, “and at her Death [it was] to be equally divided twixt Phebe Johnston and Cornelius Wilson and Phebe Wilson[,] Children of Robert Wilson[,] brother in law to his Wife.”⁵⁹ In his will, Mercereau appointed Mrs. Mercereau as Executrix to ensure that his desires were followed. The law would uphold Andrew Mercereau’s will regardless of whether Mrs. Mercereau completed another will attempting to dispose of the property in another method.⁶⁰ Mary Barnes’s claim is similar. Mary Barnes, the New Jersey widow of Major John Barnes, submitted a claim that was similar in content and language to other Loyalist claims. Mary Barnes noted Major Barnes’ military service prior to the American Revolution, his position in New Jersey’s colonial government, and his participation in the war. Barnes died during battle in August of 1777. After Barnes’ death, “his whole Estate[,] Real and Personal in New Jersey[,] was confiscated and sold by virtue of the Laws of the State of New Jersey.”⁶¹ Although Major Barnes left a will, dated November 28, 1776, New Jersey Patriots prohibited his wife from taking possession of his estate. Mrs. Barnes’ losses totaled approximately 3,400 pounds in land, a home, debts, offices, position as Sheriff, and a distilling business, as well as household furniture, clothing, linen, and other household goods. In the claim, Barnes furnished certificates of loyalty from Brigadier General Cortland Skinner, former New Jersey Governor William Franklin, and Daniel Coxe, all of whom certified Major Barnes’ participation in the war with the third Battalion of New Jersey Volunteers. Daniel Coxe, Esquire and the Reverend Mr. George Panton served as witnesses, as did Mrs. Barnes. Barnes provided the Commissioners with a copy of her husband’s will, conveyance of land purchased, and confiscation and sale papers that further

⁵⁹Ibid., reels 14-16, 24. For a discussion of women and property, see Kerber, *Women of the Republic*, 143-144.

confirmed her claim.⁶² This evidence would help sustain the true nature of the claim and verified the Barnes' losses.

His will, dated November 28, 1776, "devised the use of all his Real and Personal Estate to your memorialist [his wife] to hold during her life and that after her Death devised the same to his Daughter named Sarah Hooton and to her Heirs and assigns for ever."⁶³ Sarah Hooton Barnes was actually Barnes' niece who resided with Mary Barnes.⁶⁴ Such specific directions indicated Major Barnes' desire to provide economically not only for his wife but also for his niece, regardless of his wife's feelings. Mrs. Barnes' claim also illustrated that she possessed knowledge and involvement in her husband's financial and/or economic affairs. She estimated the value of her lost property, demonstrated her loyalty and that of her husband to Great Britain, provided documents and credible witnesses who attested to her losses and good character. Barnes' claim was for lost property she should have inherited. Not only did she lose her property during her life-time, but her daughter/niece also lost that property which Major Barnes' bequeathed her upon Mary Barnes' death.⁶⁵ Women, as well as men, sought to claim what was rightfully theirs under the law of feme covert.

Margaret Hutchinson Wiswall's claim demonstrated that some male colonists divided their estate equally among their heirs. Mrs. Wiswall, the widow of John Hutchinson of New Jersey, filed for her husband's property confiscated during the Revolution. Hutchinson completed his will in 1781, drowned later that year, and by, the terms of his will, "left all his

⁶⁰*American Loyalist Claims*, reels 14-16, 24.

⁶¹ *Ibid.*, reels 14-16, 260-261.

⁶² *Ibid.*, reels 14-16, 261-267.

⁶³*Ibid.*, reels 14-16, 4.

⁶⁴*Ibid.*, reels 14-16, 5.

⁶⁵In the memorial of Mary Barnes, Sarah Hooton is referred to as Major Barnes' daughter, later she is referred to as Mary Barnes' niece. Mary Barnes took Sarah Hooton with her to England and claimed that she was the woman's

Real Estate equally among, Claimant, His Son Francis--[in] Nova Scotia, [and] Daughters Ann... [and]...Margaret...And his Personal Property in the same way.”⁶⁶ This stipulation protected the property of Hutchinson’s children’s inheritance from seizure by Mrs. Wiswall’s new husband.

Conrad Hendrick’s claim, which his wife Nancy Hendrick (later known as Ann Sinnotte) carried out after his death, is an example of a husband giving his wife responsibility for the economic future of his/their family. Hendrick made his wife the executrix of his will and “left his Estate to Claimant to bring up the Children.”⁶⁷ This claim was complex: Nancy Hendrick was Conrad Hendrick’s third wife, and he left children from his two other marriages. Reference was also made to the property he (Conrad Hendrick) received from the marriage of each wife, illustrating that the law of feme covert was one way men benefited from marriage to women of property. Even though Hendrick stated that his wife was the beneficiary of his will, he also added that

After payment of his Debts, he gives all his Estate to his Wife for Life, with a power to dispose of it, if not disposed of then to his three Children now here with him, Sarah, James, and John, with Power to his Wife if his Son David English comes into this Province to give him such part of his Estate as may make his Share equal with the other three. [He also] Empowers his Wife to solicit Compensation from Government,⁶⁸

for their loyalty. Such detailed instructions protected Conrad Hendrick’s estate and ensured that his wishes would be followed after his demise. The law of feme covert also benefited Nancy Hendrick because she inherited the property her husband gained through his previous marriages.

sole caretaker because her health was in decline. On the first page of the claim, Sarah Hooton is stated to be Major Barnes’ niece. Ibid., reels 14-16, 260-261.

⁶⁶Ibid., reels 14-16, 16.

⁶⁷Ibid., reels 14-16, 20.

⁶⁸Ibid., reels 14-16, 21.

The widow Mary Miller of Charlestown, South Carolina, filed for losses during the war. She and her children lost property and supplies as a result of their attachment to the Crown.⁶⁹ Sarah Maitland's husband, Captain Maitland, died from Whig abuse. Mrs. Maitland claimed the loss of the supplies stored in South Carolina and Georgia that Patriots confiscated and/or looted.⁷⁰ All these women lost their rightful inheritance of property because their husbands were Tories.

Even though all of the colonies recognized English law, each one, due to the various immigrant groups living there, had different methods of distributing property to heirs. The colony of Pennsylvania provided a very detailed method for division of the estate of a person dying without a will. In *Laws Concerning Grants, Conveyances, Possession, and Inheritance of Land*, (1683 and 1693), the widow received one-third of lands and one-third of the personal property of her husband for the duration of her life. The rest of the estate went to the children, with the eldest son receiving a double portion. If the husband died without any children, one-half of his real and personal estate went to his widow for her lifetime, while the rest went to his relatives. If an unmarried man died, his estate went to his siblings. The law also provided for the distribution of property following the death of a widow who neglected to leave a will. Her estate went to her children, in the same proportions stated above. If a single man or woman died intestate, his/her estate went to his/her brothers and sisters.⁷¹ The war disrupted the lawful distribution of land and property to heirs. Patriots, when in power, prohibited Loyalist women and Loyalists' children from inheriting land, real and personal estates, money, and being repaid for debts. Women and their children were thus left in a difficult position. They were considered

⁶⁹*American Loyalist Claims*, reels 48-50, 79-82.

⁷⁰*American Loyalist Claims*, reels 51-54, 171. A discussion of how patriarchy influenced the division of property can be found in Potter-MacKinnon, *While the Women Only Wept*, 22-25.

Loyalists, even if they had not necessarily agreed with their Loyalist husbands'/fathers' political positions, and were penalized.

In Virginia, the *Act for the Distribution of Intestate Estates, Declaring Widows' Rights to Their Deceased Husbands' Estates, and for Securing Orphans' Estates*, (1705), stated that any person dying intestate should have his debts, funeral, and all other expenses paid prior to the widow receiving one-third of the estate. The remaining two-thirds of the estate went to the children of the deceased in equal parts. Article IV of this act stated that any man who left only two children was forbidden from leaving more than two-thirds of his estate to anyone except his widow who had to receive at least one-third. If the man died without any children, the wife would get a half interest in his estate. If a man left a will in which his wife received a smaller part than specified in this act, the will could be declared null and void.⁷² This act protected the widow's dower rights, so she would not be left destitute after her husband's death. These laws were ignored during the war leading many Loyalist widows to file claims.

In Georgia, the act "*Relating to the Grants and Tenure of Lands Within The Said Colony*," (1741) detailed how a deceased tenant's property was to be divided. If the tenant was survived by his wife and child/children, the wife got the house, out buildings, gardens, and one-half of the land for use during her lifetime. The rest of the land (if under fifty acres) went to the eldest son. If the man left more than fifty acres, he could devise it amongst his children. The widow's share, upon her death, immediately went to the eldest son. If the man died without any sons, he could leave his land, and that of his wife, to his daughters; the land also went to the daughters if the man had no sons and did not leave a will. If a man died leaving only a wife, she

⁷¹Kavenagh, "Laws Concerning Grants, Conveyances, Possession, and Inheritance of Land," *Foundations of Colonial America, Volume 2*, 1559.

⁷²Kavenagh, "Act for the Distribution of Intestate Estates, Declaring Widows' Rights to Their Deceased Husbands' Estates, and for Securing Orphans' Estates," *Foundations of Colonial America, Volume 3*, 2449-2453.

received all of his property if it amounted to 100 or less acres. If it was more than 100 acres, the man could devise it once his wife had passed on, even though he predeceased her. The colony also detailed how the property was divided when left by a female tenant. It followed the same pattern as that of the male tenant but in reverse. This was an especially liberal law because it allowed the female tenant, owning more than 100 acres of land, to devise land her husband had possessed during his lifetime, to be disposed after his death.⁷³ Such laws tried to provide for any eventuality in life. Unfortunately, the law did not foresee problems that the war would bring when Patriots penalized Loyalists for their political choices.

While the law generally provided adequately for widows, it did not always permit them to keep their children upon the death of their husbands. Often, men appointed guardians for their children. Such action was not necessarily a “mean spirited” act; but might protect the children’s inheritance and/or provide for their educational or vocational needs until they reached maturity. Such practices were generally found among the wealthiest in America, while the less well-to-do were usually not able to provide this advantage for their offspring. The elite often left detailed directions of how their children were to be raised and educated. Other husbands left their wives to raise their children but placed their progeny’s economic inheritance under the management of a guardian until the children came of age. This practice often backfired; some guardians were found to be spend-thrifts who stole their wards’ money and left them penniless. Others mismanaged their wards’ affairs, diminishing their inheritance significantly. Another reason a guardian might be appointed would be to protect the child from a mother’s new husband. Often,

⁷³Kavenagh, "Resolutions of the Trustees for Establishing the Colony of Georgia in America, in Common Council Assembled, This Eight Day of March, in the Year of Our Lord One Thousand Seven Hundred and Forty-One, Relating to the Grants and Tenure of Lands Within The Said Colony," *Foundations of Colonial America, Volume 3*, 2497-2498.

the wife received an inheritance from her husband for her life time, or, only until she re-married.⁷⁴

There was evidence that guardians also filed for the loss of children's property in England. Joseph Chew, guardian appointed in the will by the late Sir William Johnson of Tryon County, New York, filed a claim for the lost inheritance in "behalf of the children of Mrs. Mary Brant."⁷⁵ The Brant family, among the colonial elite, were left destitute as a result of their devotion and service to England. In America, the "American commissioners have been selling and disposing of the children's estate" so that they will not be provided for upon their reaching the age of maturity.⁷⁶

The American Revolution changed the lives of Americans in many ways, but the rule of law, even if often ignored, remained intact to dictate the actions and activities of colonists. Men and women, as well as free African-Americans and slaves, were limited by colonial law and its dictates. The law was not necessarily a uniform policy throughout the colonies. Men did not always limit their widows to only one-third of their real and personal estates upon death. They did not simply leave their property to their sons or male heirs. Some men distributed their property equally among all of their family members while others entrusted the family's economic stability and future to the care of their wives. Such diverse bequests are found throughout Loyalist claims as well as in the wills left by Patriots. The fact that the law did not always protect women and children indicates the gender bias evident at the time. Women and

⁷⁴Riley, *Inventing the American Woman*, 9-11. The guardian appointed to safeguard Sir John SinClair's inheritance until he came of age, refused to give it to him and remained in America as a Patriot after Sir John SinClair and his mother fled the country.

⁷⁵*American Loyalist Claims*, reels 17-20, 48.

⁷⁶*Ibid.*, reels 17-20, 47-49. According to Milton Hamilton's *Sir William Johnson: Colonial American 1715-1763*, (New York: National University Publications, 1976), 35, 242, 304, 310, Mary Brant was Johnson's mistress and consort. She entered his household (after the death of his first, common law wife), as his housekeeper and soon

their male relatives were able to circumvent the laws occasionally with devices such as the anti-nuptial agreements to ensure that female family members were not taken advantage of and left penniless. Some men also took such precautions to protect their children's inheritance in the event that their wives remarried. Men tried to protect their children's future by appointing guardians. Both scenarios are understandable and illustrate the unjust and inequitable law of feme covert which indicated society's and/or many men's disbelief that women could control finances adequately.⁷⁷ Under these conditions women, whether Loyalist or Patriot, made the best possible legal decisions. Discrimination was prevalent and continued to be directed against women until society became cognizant of the harm feme covert laws caused women, their children, and social charities.

The colonial era and the revolution were not optimal epochs during which American women, whether Tory or Whig, had full and equal rights with men. Women participated in society in the domestic roles of wives and mothers. Men used public censure to keep women in this sphere and society criticized and punished women who stepped beyond those prescribed bounds. Women and their male guardians often skirted the law with varying degrees of success. Nonetheless, women acted in political, economic, and patriotic ways during the Revolutionary War. Many women used the laws available to their own ends. They were not always successful. The Patriots penalized Loyalists for their political actions. The actions of male Loyalists were somehow seen as less treasonous than those of women. Whether male or female, few were forgiven after the war.

became known as his wife, (although like his first wife, he did not legally marry her), and recognized her children as his. Mary Brant was a Mohawk and her brother was Joseph Brant.

⁷⁷Perhaps men were correct in this assumption. Many women in this era were not properly educated and thus possessed no learned knowledge regarding finances and economics. While this may be true, some women did participate actively in their family's budget and were business-oriented and quite successful.

The war was particularly devastating for Loyalist women who often lost everything. Patriots killed their husbands, sons, and brothers, confiscated and sold their homes, and forced them into exile. Most of these refugees never returned to America, and were forced to start life again in a foreign land, far from home, family, and friends. Their lives were poorer economically but they had the knowledge that they participated in the war, were firm in their political convictions, and that they made the right choice, one which stood for order, civility, and the rule of law.

--CHAPTER TWO--
ZEALOUS AND LOYAL SUPPORTERS:
Black Loyalists During The American Revolution

Colonial law not only affected colonial women, it also had important influences on the half a million blacks living in North America prior to and during the war. Like female Loyalists, they too were often powerless to control their own destinies. The law, social custom, and elite, white society dictated many of the activities that blacks could and could not do and they, too, were punished for stepping beyond societal expectations set for them.

The American Revolution signaled the death knell of British rule in what became the United States of America. The Revolution began as an indictment against Parliament's usurpation of colonial rights and ended as a means to free all colonists from British control. The Revolution had different meanings for the thousands of affected people. Patriots saw it as an opportunity for a new beginning, free from the corruption inherent in the British system of government. For Loyalist men and women, it meant remaining faithful to their king and not breaking away from the tradition they had always known. The incendiary ideas that sparked the Revolution had an irresistible and unforeseen effect on half a million black slaves and the numerous free blacks in the colonies.¹ Whig propaganda appealed to slaves and free blacks, whose "major loyalty was not to a place or a people, but to a principle."² Many free blacks faced discrimination and abuse despite the fact that they were not slaves and were "Dissatisfied with

¹Sidney Kaplan and Emma Nogrady Kaplan, *The Black Presence in the Era of the American Revolution* (Amherst: The University of Massachusetts Press, 1989), 32.

²Benjamin Quarles, *The Negro In The American Revolution* (New York: W. W. Norton & Company, 1973), preface.

'what they Call Free in this Country,' "³ siding with the British because they had little to lose, had no political positions to jeopardize, and had no attachment to their Patriot oppressors.

Fighting in wars was not a new activity for African-Americans, whether free or slave. Before the Revolution, "blacks in colonial America fought in all of the colonial wars, the great majority against their will, although they had no stake in who won or lost."⁴ Continuing with this precedent, slaves fought in the American Revolution, but this time it was to achieve freedom:

Some slaves' active quest for freedom in the 1770s was not simply mimetic behavior prompted by white revolutionaries' resistance to Great Britain. Some slaves were involved in a resistance movement that derived from their own thinking and circumstances as well as from the more well known prerevolutionary and revolutionary movements.⁵

While many blacks fought for freedom, this was not the only motivating factor for participation. The reasons for joining one side or the other varied for each black person. Different concerns motivated slaves and freemen. African Americans, "Insofar as...[they] had freedom of choice, ...[were] likely to join the side that made...[them] the quickest and best offer in terms of those 'unalienable rights' of which Mr. Jefferson had spoken."⁶ For slaves, the choice was not as easy as it might appear. The Patriots, as well as the Loyalists, offered rewards. Each side also generated a significant amount of propaganda, making the decision more difficult. Patriots in Virginia warned their slaves about what they could expect from the British. Masters impressed upon slaves that:

the English were responsible for the slave trade; that slaves who defected would be sold to the West Indies; ...[the British military] would take only those who

³James W. St. Walker, *The Black Loyalists: The Search for a Promised Land in Nova Scotia and Sierra Leone, 1783-1870* (Toronto: University of Toronto Press, 1992), 5.

⁴Oscar Reiss, *Blacks in Colonial America* (North Carolina: McFarland & Company, Inc., 1997), 229.

⁵Philip Schwarz, *Twice Condemned: Slaves and the Criminal Laws of Virginia, 1705-1865* (Louisiana: Louisiana State University Press, 1988), 176.

⁶Quarles, *The Negro In The American Revolution*, preface.

could bear arms—‘Wives and children, the old and infirm would be left behind to suffer their master’s wrath.’⁷

While there was truth in their allegations, the British did evacuate thousands of women and children along with slave soldiers. Most American slaves also knew slavery was illegal in England as confirmed by the Sommerset decision. Americans were aware of the ruling in London in the Sommerset Case of 1771-1772, which freed the American slave, James Sommerset, brought to England by his master. The case was illustrative of the more equal and liberal atmosphere in that country regarding slavery.⁸ This could account for some slaves’ belief that the English would treat them more equitably than the Americans.

The Americans, at first, were very wary of arming a large enslaved and discontented segment of the population. Certain states, whose enslaved populations were larger than their white populations, had to balance the need for security with the need for protection against slave insurrections. During the 1740s and 1750s⁹ these concerns were expressed by leaders in South Carolina and Georgia. When requested to send soldiers to participate in the American Revolution, “Rather than supplying troops, Georgia requested soldiers [be sent there] to protect its population from the internal danger of slave insurrection, and from the external danger of the British and Indians on its borders[, because]...Georgia was surrounded by enemies.”¹⁰ Maryland also worried that its slaves might join the British military or that British soldiers would steal slaves, to use them behind military lines. While many Americans, both in the north and south,

⁷Reiss, *Blacks in Colonial America*, 235. Lord Dunmore, initiator of this policy, was the Royal Governor of Virginia and leader of a black loyalist regiment named “Lord Dunmore’s Ethiopian Troops” who fought against the Americans in the war for independence.

⁸Barnett Hollander, *Slavery in America: Its Legal History* (New York: Barnes and Noble, Inc., 1964), 1-10.

⁹*Ibid.*, 229-230. During the 1740s England and its American colonies were participating in King George’s War and the southern colonies always had to protect themselves from neighboring enemies; primarily the Spanish in Florida and Native Americans in “uninhabited” areas.

¹⁰*Ibid.*, 248.

worried about slave uprisings, they also used slaves within their military to fight the British. This was not an especially popular or widely accepted policy among whites, but as,

The horrible loss of manpower in army hospitals, desertions, and battle forced the new country to turn to a largely untapped source of cannon fodder, the 500,000 blacks in a population of 2 ½ million. Many leaders urged the use of blacks in war.¹¹

Eventually some states enlisted slaves with promises of freedom, while others were paid for service, or their masters reimbursed, and given pensions after the war.¹² South Carolina gave slaves to white soldiers who were injured, “or maimed in service and could not afford medical care.”¹³ Congress or state governments paid slave masters for enlisting their slaves in the American army, and “Slaves’ time [was] purchased...and they were induced to enter the service in consequence of a law of Congress.”¹⁴ Congress provided that once the war ended, these black soldiers and workers were to be set free. A few states put slaves into military service without the promise of freedom. One such slave was Samuel Charlton. Charlton’s master enrolled him in the army’s service while still in his teens. For such action, “his master rewarded him with a silver dollar.” After his term expired, Charlton returned to slavery, and was manumitted only upon his master’s death.¹⁵ Some free blacks joined the Patriot Americans willingly. James Forten of Pennsylvania was just such a free, black man. While still in his teens, Forten joined the army because his “young heart [was] fired with the enthusiasm and feeling of the patriots and revolutionists of the day.”¹⁶ Forten could not have been the only free, black man who felt this

¹¹Ibid., 244-246, 237.

¹²Ibid., 245-246, 250.

¹³Families of white soldiers, killed in action, might also receive a slave as a recompense for his service and loss of life. Ibid., 246.

¹⁴William C. Nell, *Colored Patriots of the American Revolution* (New York: Arno Press and the New York Times, 1968), 24.

¹⁵Ibid., 162-163. Charlton’s master was only referred to as “Mr. M” in the text.

¹⁶Ibid., 167-168.

way and expressed his patriotism by participating in the war, but most of the blacks who joined the British did so because they were promised freedom. A Connecticut slave, Seymour Burr, “yearned for liberty” and plotted to run away with other slaves and join the British army. When Patriots apprehended him they informed his master, Colonel Aaron Burr who then enlisted his slave in the American army. Colonel Burr, the future vice president, awarded Seymour Burr his freedom at the end of the war. Seymour Burr was fortunate since Aaron Burr recognized the evils of slavery.¹⁷

The American military enlisted approximately 5,000 blacks during the war.¹⁸ A slave who fought for the Patriots was usually freed after the war, because once "a slave...had fought for the freedom of America [he] could hardly be expected to resume his properly submissive position in servitude after the war."¹⁹ Some states denied freedom to slave soldiers forcing the slaves to take court action to gain their promised freedom. Often such slaves were more successful in the north.²⁰ The fact that slaves would earn their freedom by fighting was the main reason many owners opposed their use as soldiers. Arming slaves might lead to more slave revolts, such as the one that occurred in Hanover County, Virginia in 1769. Although this rebellion was small in scale, it haunted southerners for years.²¹ Others believed that employing enslaved men in their battle for freedom would actually harm Americans’ ultimate cause. The Massachusetts’ Committee of Safety stated, “Admission of any persons but free men as soldiers would be inconsistent with principles being supported and would reflect dishonor... .”²² Mixed

¹⁷Ibid., 21-23.

¹⁸Ibid., ix.

¹⁹Walker, *The Black Loyalists*, 4.

²⁰Reiss, *Blacks in Colonial America*, 250.

²¹Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 71.

²²Reiss, *Blacks in Colonial America*, 233.

emotions regarding the use of free blacks and slaves meant few slaves and free blacks served in the Continental military.

The British were eager to use blacks in their military, although they usually limited them to service and labor activities with only a fraction ever seeing combat. The British traditionally freed the slaves who fought for their cause. In 1709, during the War of the Spanish Succession, British Navy Captain Woodes Rogers armed slaves who were willing to fight against any Spanish or French foes his ship encountered. After the war, Rogers freed his slaves and acknowledged them as Englishmen. Following this tradition, as the Revolution approached, Virginia governor Lord John Dunmore offered slaves their freedom. By the summer of 1775, Dunmore provided fugitive slaves haven on board British ships.²³ On November 14, 1775 Dunmore freed a band of slaves who aided him in the defeat of Patriots at Kemp's Landing, on Virginia's Elizabeth River.²⁴ The slaves and soldiers "took part in the skirmish...in which the colonials were routed; indeed, slaves captured one of two commanding colonels."²⁵ Dunmore, to the outrage of American colonists, offered freedom to

...all indentured servants, negroes, and others, (appertaining to Rebels) free, that are able and willing to bear arms, they joining his Majesty's troops, as soon as may be, for the more speedily reducing this Colony to a proper sense of their duty to his Majesty's Crown and dignity...²⁶

Through the war, Americans complained of plots, insurrections, and revolts by slaves who wanted to join the British and gain their freedom.²⁷ News of Britain's intent quickly spread throughout the slave community, causing John Adams to remark that the information would "run

²³Schwarz, *Twice Condemned*, 183.

²⁴Quarles, *The Negro in the American Revolution*, 23.

²⁵Ibid., 27.

²⁶Reiss, *Blacks in Colonial America*, 234.

²⁷Schwarz, *Twice Condemned*, 182, 174,

several hundreds of miles in a week or fortnight.²⁸ Lord Dunmore established an Ethiopian Regiment, consisting of 300 slaves. This caused "a terrifying version of the old nightmare of black revolt" for many Americans, north and south.²⁹ Black troops, under white commanders, received "one cow, one guinea, and his freedom; Loyalist owners would receive a receipt bearing 6 percent interest for each slave enlisted."³⁰ Such enticements allowed Loyalists to earn money while the war continued and enabled the British to bolster their military ranks.

Lord Dunmore's proclamation did not include Loyalists' slaves and thus they were left in bondage. The precedent set at Kemps' Landing of freeing the Patriot-owned slaves who aided British troops increased the number of slaves seeking asylum behind British lines. The Americans feared that the British could easily recruit 20,000 slave soldiers in South Carolina and Georgia.³¹ General Thomas Gage believed Dunmore's policy would decrease the Patriot force while increasing British ranks. British soldiers could fight, with slaves taking over the soldiers' labor duties behind the lines.³² Although this plan made tactical sense in the United States, the general population of England was "appalled at the idea of inciting slaves to insurrection against their 'American Brethren.'" ³³

Many blacks deserted the American army and joined the British. Reasons for desertion are evident from claims submitted to the Claims Commission in England after the war. John Twine, a free black man from Petersburg, Virginia, "worked as a Waggoner to the Virginia Regiment." He left the army, because of poor treatment, to join the British at Trenton in 1777 and was servant to a British Officer. He claimed the Americans "kept [him] very bare in Cloaths

²⁸Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 74.

²⁹Quarles, *The Negro in the American Revolution*, 28. Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 76.

³⁰Reiss, *Blacks in Colonial America*, 234.

³¹Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 73.

³²Reiss, *Blacks in Colonial America*, 234.

[and paid him] little money.” Propaganda led Twine to run to the British because they paid better wages and he enjoyed “better Usage.”³⁴ The Whigs “compelled” other blacks to serve in the American army. In 1776 Black London, a free African-American from Boston, “was compelled to take up Arms in the Militia for the Americans.” He left their service and joined the British, serving in the navy.³⁵ Prince Prince, a free man from Connecticut, “was obliged to serve in a Rebel Privateer or come away,” meaning he would be expelled from the state. Given such a choice, Prince fled and joined the British navy.³⁶ Georgia colonist Prince William was not given a choice in the war. Initially a free black man, William was “cheated out of his freedom and sold to an American in Georgia.” When British troops arrived, William’s master “ordered him to fight against the English, but he deserted,” choosing to join the British instead.³⁷ William may have joined the British to protest his illegal enslavement. Freed in 1779 by his South Carolina master, Henry Brown fled to the British and served in their navy.³⁸ When Patriots urged Mathew Tucker, James Franklin, and Moses Stephens to fight for America, they instead joined the British in the Royal Navy.³⁹ These black men, whether free or slave, acted politically even though they had no political voice. Their desire to be free had political and economic meanings for others who could vote, hold office, or make laws.

Some free blacks who refused to serve were jailed, their property confiscated, and Whigs subjected them to abuse. Typical was the experience of a black man named Jackson. Patriots appropriated “his property...because he would not serve under them.” After escaping from a jail

³³Ibid., 236.

³⁴The Public Records of Great Britain, Series 1, *American Loyalist Claims 1776-1831* (Exchequer and Audit Department, 1972), reel 100, 73.

³⁵Ibid., reel 99, 86.

³⁶Ibid., reel 99, 28.

³⁷Ibid., reel 99, 353.

³⁸Ibid., reel 99, 193.

³⁹Ibid., reel 99, 15, reel 99, 357, reel 99, 147.

in New Jersey, Jackson joined the British navy.⁴⁰ After Patriots confiscated their possessions and imprisoned Scipio Handley and William Cooper, they both joined the British.⁴¹ In America, black men could not be guaranteed protection. While promises of fair treatment could not always be kept, such experiences certainly made it easier to join the British.

For many blacks, both slave and free, the choice of joining the British was an easy one. The British promised freedom and often paid good wages to their black soldiers and workers. George Mills took advantage of Lord Dunmore's offer. He was a Virginia slave who belonged to Captain Avery. At the earliest opportunity, Mills absconded to British lines where he served Dunmore and later entered the English navy.⁴² John Provey, a servant from North Carolina, enlisted in Captain Martin's "Company of Black Pioneers in 1776 and served in it all the War. He received Pay and Rations during the War and was paid by Lord Percy and Captain Smith as a Servant."⁴³ Many slaves accepted the British offer of freedom. The added bonus of getting a modicum of revenge on their former masters made the prospect more enticing.

Slaves and freemen performed important duties for the British as cooks, servants, carpenters, blacksmiths, pilots, and teamsters.⁴⁴ They also built forts, worked on ditches, foraged, and tended crops on seized Patriot plantations.⁴⁵ They served as guides, spies, couriers, and scouts. One New York man, Benjamin Whitcuff, spied for Sir William Ayscough, a British military officer, and General Sir Henry Clinton, commander of the British forces. The Patriots captured Whitcuff and hanged him for three minutes, but Captain Gore's 5th Regiment rescued him just in time to save his life. The Patriots recaptured Whitcuff from his ship and sent him to

⁴⁰Ibid., reel 99, 82-83. No other name is give for this man.

⁴¹Ibid., reel 100, 130, reel 100, 35.

⁴²Ibid., reel 99, 23.

⁴³Ibid., reel 101, 155. In his claim, Provey describes himself as "a Servant to a Lawyer." This description makes his status, of slave or free, unclear.

⁴⁴Walker, *The Black Loyalists*, 5. Quarles, *The Negro in the American Revolution*, 28, 29, 135.

Boston again to face hanging. Again, the British saved him and he made his way to England.⁴⁶ Other former slaves, such as David King from New York and John Twine of Virginia, served as couriers. James Reading from New York was a pilot for the British navy and George Peters of Pennsylvania worked in the British army as a “waggoner,” guide, and laborer.⁴⁷ Virginia slave, Walter Harris, entered the British army late in the war. “When his Majesty’s Troops landed at Westover in the Year 1780[,] he was taken by General Arnold and went with him as a Guide.”⁴⁸

Slaves and free African-Americans also served in the navy during the American Revolution, “Royal Navy press gangs were ‘color blind,’ and many blacks were taken off the streets for service.” Blacks, whether in the American or British navy, often did the same types of work, serving as “...seamen, ‘powder-boys,’ servants to the officers, and pilots of ships...” The British also used black sailors to loot and destroy Whig homes, plantations, and crops.⁴⁹ Edward Jackson of North Carolina served in both the British army and navy. Jackson “joined General Leslie in May[,] 1780 and left it the 4th of June and came to New York from thence to London where he was pressed and has now been more than two Years on board a Man of War.”⁵⁰ Ironically, neither Patriots nor Loyalists had reservations about enrolling slaves in the navy, since they were at sea, away from large populations, and hence less of a threat.⁵¹

Not all black men who served behind British lines did so willingly. The British often seized slaves as the spoils of war, keeping them as personal servants, and then selling them in Nova Scotia or the West Indies. Slaves were also used to reimburse Loyalists who had lost

⁴⁵Quarles, *The Negro in the American Revolution*, 138.

⁴⁶*American Loyalist Claims*, reel 99, 345. Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 71.

⁴⁷*American Loyalist Claims*, reel 99, 356, reel 100,73, reel 99, 140, reel 102, 25.

⁴⁸*Ibid.*, reel 99, 334.

⁴⁹Reiss, *Blacks in Colonial America*, 250.

⁵⁰*American Loyalist Claims*, reel 99, 343.

⁵¹Reiss, *Blacks in Colonial America*, 249.

slaves due to the war.⁵² Occasionally, slaves were used in prisoner exchanges, if their masters were Patriots.⁵³ Even the freeman was not entirely safe behind British lines. A freeman could be enslaved, as was "Sir Guy Carleton's servant Pomp, [who] though possessed of a certificate declaring his freedom, was referred to as the general's 'property' and was not considered free to leave his service at the end of the war."⁵⁴ The British army granted freedom to slaves, but its soldiers and officers also enslaved men without any qualms over such action. The British evacuated a group of loyal black soldiers to Nova Scotia in 1776. "No sooner had they arrived in Halifax than suggestion was made that they should be used as ransom in exchange for Loyalist prisoners held by the Americans."⁵⁵ Siding with the British was not always a secure way for a slave to obtain freedom or for a freeman to protect his freedom or that of his family. Many of the black claimants had wives and children who remained in America after black Loyalists fled to safety in England.⁵⁶ The British did not offer black Loyalists' wives and children passage to England and often they had no other way to get there. Free black women, as well as female slaves, were not offered freedom. They did not bear arms and thus were outside the proffered aid of Great Britain. According to Sally Smith Booth, author of *The Women of '76*, black as well as white women, followed the armies and performed useful duties. "In the south, black women with the American army were usually slaves, serving as nurses or cooks so that the men could apply themselves totally to military matters."⁵⁷ Black women were present in military camps,

⁵²Quarles, *The Negro in the American Revolution*, 136-137, 154-157. Walker, *The Black Loyalists*, 6-8.

⁵³Reiss, *Blacks in Colonial America*, 250.

⁵⁴Walker, *The Black Loyalists*, 7.

⁵⁵Ibid., 7.

⁵⁶Noted in their claims, Prince Prince and James Strong of Connecticut, Edward Jackson of North Carolina, James Reading of New York, Peter Anderson of Virginia, and John Brantford of South Carolina all of these men mentioned wives, some with children, whom they had to leave behind in America. Ibid., reel 99, 28, 345, 343, 140, 354, 358.

⁵⁷Sally Smith Booth, *The Women of '76* (New York: Hastings House, 1973), 186.

although they were not offered freedom. Despite this, hundreds of slave and free black women and children fled to the British and were evacuated with British forces in 1782 and 1783.⁵⁸

The Americans treated slaves as did the British, selling them, regarding them as war booty, and giving them to soldiers and citizens to replenish lost or stolen slaves.⁵⁹ Whether behind British or American lines, many slaves died before ever gaining their freedom. Disease took a heavy toll on slaves as germs flourished in the less than sanitary conditions which existed in military camps during the war.⁶⁰ Disease or infection killed more soldiers than actual wounds and fighting.

The treatment of slaves and black freemen by American and British forces varied. Of thirty-five claims made to the Loyalist Claims Commission in London, only seven black men said they were abused by the Patriots, although some of the abuse was extreme and disabling. Samuel Burke, a native of Charles Town, South Carolina, was a free black who served the British under Bahama Governor Montfort Browne. He helped raise troops in the New York area and worked as a bat man during the war. The Patriots severely wounded him at both Danbury, Connecticut and Hanging Rock, South Carolina. In his claim he stated that he killed ten or more Patriots, married a “free Dutch, Mulatto Woman,” from whom he acquired household goods and a home. He was not able to recoup his losses of 100 pounds because his injuries left him unable to work.⁶¹

The Americans offered a reward for the capture of John Thompson of Long Island, who served British Colonel David Fanning on board the *Duchess of Gordon* in New York. Thompson also worked as a courier for New York Mayor, David Mathews. When Thompson

⁵⁸Quarles, 172.

⁵⁹Reiss, *Blacks in Colonial America*, 251.

⁶⁰Ibid., 252.

⁶¹*American Loyalist Claims*, reel 99, 357.

discovered that Patriots placed a price on his head, he fled America.⁶² The Patriots wounded John Twine in the thigh in 1781, when he served under Lord Rawdon's command at Camden, South Carolina. When Twine fled the country with his wife and child, the French captured their ship, the *Union*. The French released Twine and his family in France, and they made their way to England.⁶³ Patriots seized the property of Jackson, a New York trader, arresting and imprisoning him in New Jersey. Jackson escaped to join British forces in New York. He entered the navy under Admiral Augustus Keppel.⁶⁴ Jackson lost his leg during a battle on board the *Shrewsbury*. William Cooper lost all of his property, consisting of a cooper's shop, supplies, and house, to the Patriots who arrested and imprisoned him for his allegiance to the King. On his release, he served as a member of Major John Doyle's Light Horse Dragoons. Shadrack Furman lived in Virginia when the war broke out and later joined Major General Lord Charles Cornwallis' troops during their occupation. Americans "seized him, and treated him with great Cruelty, inasmuch that he had totally lost his Eye Sight and the Use of his right Leg."⁶⁵

Other blacks who allied with the British suffered from inadequate food, supplies, and housing. Thousands died from small pox and starvation. The British segregated their regiments and blacks lived in horrendous conditions. Ostensibly, the British used sickly black laborers to infect Patriots. This method of "germ warfare," whether real or simply rumored, caused panic and outrage among Americans.⁶⁶ Although the British had rules or guidelines for proper and/or humane treatment of blacks within their service, the policy was inconsistently followed.⁶⁷ Blacks were particularly fearful that if the Americans won the British would return slaves to their

⁶²Ibid., reel 99, 355, reel 100, 73.

⁶³Ibid., reel 100, 73.

⁶⁴R. Ernest Dupuy and Trevor N. Dupuy, *The Compact History Of The Revolutionary War* (New York: Hawthorn Books, Inc., 1963), 302. *American Loyalist Claims*, reel 99, 82-83.

⁶⁵*American Loyalist Claims*, reel 99, 82-83, reel 100, 35, reel 102, 156.

⁶⁶Quarles, *The Negro in the American Revolution*, 29.

masters. In spite of such doubts, slaves continued to flee to the British troops.⁶⁸ Some slaves were returned to the Americans, but the British protected many blacks from angry Patriots and freed thousands more at the war's end.

On June 3, 1778, Commander of the British forces Sir Henry Clinton announced a new policy regarding slaves. If runaway slaves belonged to Tories, they would be returned as long as the slaves were not punished. Clinton allowed Loyalists to "rent" their slaves to British troops, receiving compensation if the slaves were killed. Slaves of Patriot masters captured as war booty were used for the general good of the troops.⁶⁹ Other military officers instituted their own policies regarding Patriots' slaves. As a British officer, American traitor Benedict Arnold, returned only those slaves who belonged to widows and orphans.⁷⁰ On June 30, 1779, Sir Henry Clinton announced a plan to strengthen his troops, weaken the Patriots internally, and strike fear into Whig populations. In the Philipsburg Proclamation, Clinton guaranteed "to any slave coming over to the British his full freedom and choice of military assignment."⁷¹ To counteract any mass desertions, Patriots increased and intensified slave patrols and the punishments inflicted upon slaves caught trying to flee to the British. Some states instituted the death penalty for such treachery.⁷² Patriots caught three runaway slaves in South Carolina, named Charles, Kitt, and Harry. Trial transcripts show that the court ordered the first two hanged, probably as an example to others, while the court sentenced Harry to thirty five lashes on the back.⁷³ Some

⁶⁷Reiss, *Blacks in Colonial America*, 236.

⁶⁸Walker, *The Black Loyalists*, 7.

⁶⁹Ibid., 138.

⁷⁰Ibid., 131.

⁷¹Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 78.

⁷²The death penalty was the punishment for slaves convicted for running to join the British and Lord Dunmore and it was considered "conspiracy." Schwarz, *Twice Condemned*, 188.

⁷³Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 81.

states also moved large numbers of their able-bodied male slaves into sites distant from British occupation and troops. One safe territory was in the Virginia lead mines.⁷⁴

Americans feared that if the British were successful in their attempt to recruit Patriots' slaves, they would fight against an external and internal enemy.⁷⁵ The south, with the highest concentration of slaves, was particularly at risk and southerners had to "keep a wary eye fixed to their personal interests."⁷⁶ In Virginia, authorities passed several penalties for aiding the British. "Sancho [a Virginia slave] was court-martialed in 1781 for giving intelligence to and acting as a pilot for the British invasion force. He was hanged by the neck."⁷⁷ In another Virginia case, the court convicted and ordered a slave hanged for "waging war against Virginia." This slave was spared death, when "Governor Thomas Jefferson and two judges intervened in his behalf, ruling he [the slave] was not a citizen and [thus] could not commit treason."⁷⁸ This was an exception to the generally harsh treatment of slaves.⁷⁹ Masters even held female slaves as captives, "By holding hostage the wives and lovers of black soldiers away at war, the southern slave owner helped to assure that his male servants would not be so prone to desert."⁸⁰ Masters employed any necessary method to ensure the obedience of their slaves during the war. The British believed their appeal to slaves would weaken southern Patriots because the loss of slave labor would bring on economic decline, forcing owners to tend to their own crops and to protect their families from runaway slaves. The runaway slaves would also swell the ranks of the British

⁷⁴Walker, *The Black Loyalists*, 8-9.

⁷⁵Ibid., 7-8. Quarles, *The Negro in the American Revolution*, 19-24.

⁷⁶Walker, *The Black Loyalists*, 8.

⁷⁷Schwarz, *Twiced Condemned*, 188-189.

⁷⁸Reiss, *Blacks in Colonial America*, 251.

⁷⁹William Goodell, *The American Slave Code in Theory and Practice* (New York: Johnson Reprint Company, 1968), 290, 309.

⁸⁰Booth, *The Women of '76*, 186-187.

army and navy, making victory imminent.⁸¹ The threat held a great deal of horror for southerners and northerners alike, regardless of its implementation, and thus was a successful terror tactic.

To harass Americans, the British helped many slaves leave the states. Historians estimated that “more than 100,000 slaves left the new country during and after the war.”⁸² Unfortunately, the British did not extend much hope to slaves not included in the "amnesty" or freedom offered by either Lord Dunmore or Sir Henry Clinton. The British did not offer freedom to Loyalist-owned slaves, even if they were runaways. Even though the British freed some slaves, their Loyalist allies would never condone wholesale emancipation for all slaves. This must have occurred "To [even] the most unobservant field hand[,] it must have been plain that England had not the remotest idea of making the war a general crusade against slavery... .”⁸³ While this is true, slaves still flocked behind British lines.

The English army used runaway slaves without considering the consequences. In defeat they needed a coherent plan for management of slaves. The Patriots "expected the restoration of their property when they gained a victory, and the British were forced to consider the honour of their commitment to the blacks against the politics, let alone the inconvenience, of retaining in their care such vast numbers of rebel-claimed slaves."⁸⁴ No specific policy was determined but the British followed a precedent set in 1776 during an evacuation of Boston, Massachusetts when the British took away black Loyalists. During a comparable exodus in Savannah, Georgia in 1780, British Lieutenant Colonel Alured Clarke expressed a desire to protect the black Loyalists in his charge. He wrote to Lord Cornwallis :

⁸¹Quarles, *The Negro in the American Revolution*, 21.

⁸²Reiss, *Blacks in Colonial America*, 251.

⁸³Quarles, *The Negro in the American Revolution*, 120.

however policy may interfere in favour of the Masters; an attention to Justice, and good faith, must plead strongly in behalf of the Negroes, many of whom have certificates of services performed.⁸⁵

The policy remained vague until the Peace of Paris in 1783 which specified that all Patriot property and Negroes were to be returned to the Americans prior to a British evacuation. Lieutenant General Sir Guy Carleton was determined not to return any slaves of Patriot masters who had sought refuge in response to the 1779 Philipsburg Proclamation.⁸⁶ Eventually, Carleton settled upon a policy,

Negroes who were with the British prior to the signing of the provisional treaty on November 30, 1782 were free; those acquired after that date were to be given up. ...Carleton was doubtless[ly] moved,...by a sense of responsibility to the Negroes. A far-seeing man,...[he] may also have felt that if Britain defaulted on promises of freedom made during the war, any similar proclamations in future conflicts would not be trusted.⁸⁷

Carleton told General George Washington, Commander in Chief of the American forces, that if that stance appeared to be a treaty violation, the British government would compensate Patriots for their lost property. Washington accepted the proposal but the large loss of slave property displeased him. Carleton kept a record of the slaves who left with the British. This enabled Americans to receive compensation but it did not include the thousands of slaves who left port prior to that time.⁸⁸ The British and American governments did not completely reconcile the issue of compensation to owners until 1827. Diplomats attempted many politic resolutions after the war. British soldiers exacerbated the problem during the War of 1812, when they again took

⁸⁴Walker, *The Black Loyalists*, 8.

⁸⁵Ibid., 8.

⁸⁶ Sir Henry Clinton announced his Philipsburg Proclamation on June 30, 1779. In it, he guaranteed “to any slave coming over to the British his full freedom and choice of military assignment.” Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 78.

⁸⁷Quarles, *The Negro in the American Revolution*, 171.

away slaves from America. The 1814 Treaty of Ghent, which ended the war, made the possibility of American slave owners receiving slave compensation more problematic. The 1814 treaty negated Article VII of the Treaty of Paris, 1783, which dealt with paying for slaves taken out of the country by British soldiers.⁸⁹ Monetary recompense for slaves lost or stolen during the American Revolutionary War, was not made until forty years had passed.⁹⁰ By that time, many of the slaves' owners were dead.

Not only was the issue of compensation a concern to American slave owners, it was also one that concerned Loyalist slaves, soldiers, and refugees. Once Tories, whether black or white, landed in England, Nova Scotia, or other locations, they often filed claims for lost property and suffering endured due to their fealty to the King. Parliament passed a law in 1783 to pay a small stipend to those who suffered for their loyalty and services to Great Britain. The government intended that the stipend provide only temporary aid, until they returned home, and was not a reimbursement for their losses.⁹¹ Usually the Claims Commission did not award a black petitioner any compensation for losses or service. They believed that he, the slave, "Has been a great gainer by the troubles in America[,] for being in a situation in which he could loose nothing[,] he has gained everything[,] for he has gained his Liberty."⁹² The Commissioners also did not believe much of the black Loyalists' testimony,

As for loyal Negroes, all of whom the commissioners considered to be ex-slaves, a[n] usual comment, accompanying a refusal of aid, was 'he ought to think

⁸⁸Ibid., 168-171.

⁸⁹Reiss, *Blacks in Colonial America*, 253.

⁹⁰Ibid., 253.

⁹¹Mary Beth Norton, *The British Americans: the Loyalist Exiles in England, 1774-1789* (Boston: Little and Brown, 1972), 192. Hugh Edward Egerton, editor, *Mass Violence in America: The Royal Commission on the Losses and Service of American Loyalists 1783-1785* (New York: Arno Press and The New York Times, 1969), xxxii, xxxvi. Wallace Brown, *The Good Americans: Loyalists in the American Revolution* (New York: William Morrow and Company, Inc., 1969), 181.

⁹²*American Loyalist Claims*, reel 99, 353.

himself very fortunate in being in a Country where he can never again be reduced to a State of Slavery.⁹³

Despite such statements, some unscrupulous men enslaved, kidnapped, or impressed black Loyalists in England. Officials even arrested and imprisoned blacks in debtor prison due to their inability to find work and financially support themselves and their families.⁹⁴ In the West Indies, many former slaves who had served the British were re-enslaved.

The Claims Commission disappointed most, if not all, Loyalists because it did not grant large allowances. White Loyalists, as well as their black counterparts, never received the full amount requested in their petitions, with most usually receiving less than half of the actual value of their claims. White men's claims usually received the most attention. White elite men obtained the highest awards, provided they offered substantial proof of their lost property and had influential men attest to their character and property losses. Women's claims, (unless filed by an influential man), usually did not succeed as well as those of their male counterparts, even with similar proof and certificates.

Loyalist black men experienced similar discrimination. The claims filed by black Loyalists are short, because they owned little, if any, real or personal property. Most of the thirty-five claims are less than half a page and do not list property worth more than 400 pounds.⁹⁵ They briefly discuss their war participation, treatment by Patriots, enumeration of losses, and statement of loyalty and fealty to the King. Even though the sampling of slave and black claims are small, they provide information about a group of people who otherwise left few records. The data is too small to draw larger conclusions about all of the slaves who fled the

⁹³Brown, *The Good Americans*, 188.

⁹⁴*Ibid.*, 188-189.

⁹⁵Anthony Smithers of New Jersey claimed losses of 720 pounds, Henry Brown and William Cooper, both of South Carolina, reported losses of 955 pounds 500 pounds, respectively. The Commissioners did not believe these men and thus awarded them no compensation. *American Loyalist Claims*, reel 99, 358, 193, reel 100, 35.

colonies, but they do give specific information about these thirty five men who fought for the British and filed claims for losses. Only very wealthy white colonists, who sought asylum in England, filed long petitions which they supported with numerous documents, usually fifty pages or more in length. Such Loyalists listed every item, piece of land, and rent which Patriots seized due to their political affiliation. An example of one such claim is that of Lady Juliana Penn, late of Pennsylvania, in which she listed the various confiscated properties, houses, and buildings. She also provided witnesses who affirmed her loyalty, service, and faithfulness. Penn's claim totaled the loss of over one million acres of land for which the British government could not possibly provide compensation without bankrupting the treasury.

The middling ranks of Loyalists generally filed short claims, although many claimed vast acreage. Such claims filed by Mary Kearsley and Mary McAlpin, were several pages long and might total only a few thousand pounds in losses. The poor and children, who had claims filed for them, had very brief claims, much like those filed by black Loyalists. The significant difference is that the claims filed for white children usually received more compensation than did the claims of black men who had fought, been injured, and lost property for the British cause.⁹⁶ Black men, whether slave or free, entered the Revolutionary War and British military service with significantly less to lose than whites. As a whole, they owned less property, occupied low paid jobs, and had few material possessions or property. They also generally gained less from the war than did whites, the only exceptions being those slaves who gained their freedom.

The claims of black Loyalists were further hampered because they often could not verify the information they provided.⁹⁷ Many of the claimants stated that they did have proper verification but lost it during the war. While plausible, this argument did not sway

⁹⁶Ibid., reel 38, 272-285, reels 43-47, 51-62.

Commissioners. Some blacks in London were alone and did not have anyone to confirm their claims. Neither could many provide credible witnesses to their good character, former profession in the colonies, or their losses or loyalty during the war. The Claims Commissioners were especially skeptical of a group of black Loyalists who presented certificates from John Williams and Thomas Watkins. According to the Commissioners,

In our Opinion this Case and the Cases of many of these Black Men is an absolute Imposition as he [John Baptist, of New Jersey] and many of them [black Loyalists] pretend to have had exactly the same Quantity of Land which is both written and valued and certified by John Williams and Thomas Watkins who have an Interest in representing a Falsity to us as many of these Blacks lodge with them and if they should obtain any Money from the Treasury probably these Men [Williams and Watkins] are to have a considerable Share of it. We totally disregard the Testimony of this Case[,] we think him [them] not entitled to receive the Bounty of Government.⁹⁸

Generally, white Loyalists settled together in London but since fewer blacks were there it is understandable that they might not be able to find many witnesses whom the Commissioners deemed credible.

White people might also have been less willing to assist blacks in gaining compensation because it might decrease the total pool of money available for their awards. Those blacks who served in the military were usually able to provide certificates from their superiors but Commissioners did not reward such proof with large allowances. Black exiles often fell upon hard times and “wandered the streets of London where they were helped with donations from the Poor Black Committee supported by the businessmen of London.” Eventually, Parliament recognized the problem and “voted to give the indigent a dole of 6 pence per day.” Other schemes were designed to remove blacks from England altogether and give them a new start

⁹⁷Quarles, *The Negro in the American Revolution*, xi.

⁹⁸*American Loyalist Claims*, reel 99, 359.

elsewhere. Henry Smeathman,⁹⁹ an English humanitarian who worked to resettle black refugees in Africa, acquired money to send black Loyalists to Sierra Leone. Such activities may appear benevolent but often these blacks were re-enslaved.¹⁰⁰ Unfortunately, this was not a rare occurrence.¹⁰¹

When viewing the black Loyalists' claims as a whole, some information can be gleaned. From the thirty-five claims examined, the majority of men came from the southern states of South Carolina (8) and Virginia (9). Six men came from New York, two from New Jersey, two from Connecticut, and one man from each of the states of Massachusetts, Georgia, Connecticut, Rhode Island, and Pennsylvania. Two men, Richard Weaver and Thomas Hide, did not name the states they came from in North America. Most of the men were skilled, the majority being farmers (10). The rest had various skills such as miller, carpenter, fisherman, cooper, pilot, servant, and shoemaker. Six did not list occupations, but if they claimed land, they were probably farmers. Sixteen of the Loyalists served in the British army, acting as spies, couriers, and laborers, while fifteen served in the navy. Three men saw service in both the army and navy and four did not list their war-time activities. Twenty-three of the thirty-five men described themselves as free, seven as slave, and five did not state their status. Seven men were wounded or abused by Patriots during the war and seventeen received some stipend or pension. Seventeen men received no recompense, and the outcome of one case is unknown.¹⁰² The amount of

⁹⁹Reiss, *Blacks in Colonial America*, 147. Dr. Henry Smeathman, along with William Wilberforce, Thomas Clarkson and Granville Sharp began a movement in England in the 1770s. This movement, whether racially or simply an altruistically motivated, worked to remove Africans from England and place them back in Africa. The British government endorsed this project when it acquired land in Sierra Leone in 1787. The plan failed due to many factors, primarily death of its settlers from native attacks and disease, which claimed a large number of the original inhabitants lives.

¹⁰⁰Ibid., 254.

¹⁰¹Ibid., 250-252.

¹⁰²*American Loyalist Claims*, see specific claims for individual black Loyalists found on reels 99-103, reel 100, 91.

compensation granted black Loyalists was small; usually the Commissioners did not grant them any award at all.

These black Loyalists were truly attached to the British cause. They performed valuable and hazardous tasks, acting as couriers, spies, and guides. The seventeen men who substantiated their cases received meager compensation, from five to twenty pounds, much less than that received by any white, female claimant. The largest stipends awarded, of twenty pounds each, were received by Samuel Burke and Thomas Johnston. Burke had certificates signed by General Montford Browne, Captain Bowen, and Colonel Fanning. He served in the army as a bat man, bore arms, and was wounded twice. Certificates attested to Burke's loyalty, honesty and faithful service.¹⁰³ Johnston had a complete certificate from Lieutenant Colonel Nisbet Balfour, Captain Ogilvie,¹⁰⁴ and Lieutenant Colonel Banastre Tarleton. Johnston served in the army as a guide to Tarleton's Regiment of Light Dragoons. He requested a twenty pound stipend to start a business. The Commission believed that he was a "Zealous Loyalist" who "was of great service as a guide," and he lost property worth sixty pounds.¹⁰⁵ Unlike recompense awarded to white men and women, these twenty pound awards were one time payments, not yearly grants.

The Commissioners gave ten pounds to John Thompson, George Peters, Shadrack Furman, James Strong, Walter Harris, Jeremiah Williams, Thomas Hide, and Edward Jackson. A certificate from Colonel Fanning helped the cases of Thompson and Williams. Sir William Howe and Colonel Balfour certified Peters' claim, and Sergeant John McDonald, 76th Regiment,

¹⁰³Ibid., See specific claims for individual black Loyalists found on reels 99-103, reel 99, 357, reel 102, 18.

¹⁰⁴There are several spelling variations for the surname Ogilvie: Ogilvy and Ogilvie being the most commonly found. This man is most likely a Loyalist militia captain recruited from South Carolina. No mention of him, in the rank of captain, could be found in Katcher's *Encyclopedia of British Army Units*. In this work, the only captains who appear are enlisted in the navy. Philip R. N. Katcher, *Encyclopedia of British, Provincial, and German Army Units, 1775-1783* (Pennsylvania: Stackpole Books, 1973), 72, 29, 34.

¹⁰⁵*American Loyalist Claims*, reel 102, 18.

and Thomas Willis, former Sergeant of New York police, certified Furman's claim.¹⁰⁶ General Leslie provided a certificate for Edward Jackson.¹⁰⁷ Lord Cornwallis provided a certificate to bolster Walter Harris' case, with the Commissioners commenting that, "He produces a very handsome Certificate from Lord Cornwallis of his Attachment and Fidelity to him and the British Cause...[and] he behaved extremely well [during the war] and made great Exertions for the British Government," which entitled him to a one-time payment.¹⁰⁸ As for Thompson, the Commission did not believe his claim for lost property and they made no mention of his war service. His ten pound compensation was a one time payment.¹⁰⁹ Peters joined the war in 1777 and was a waggoner, guide, and laborer for the British army under Sir William Howe. He submitted certificates from Howe, commander-in-chief of British forces in America, and Colonel Balfour describing his work as an army guide and his loyalty and present distress. The Commissioners found that his certificates illustrated his loyal service and "other reliable sources say he is a very proper object for some assistance from government." Thus he was awarded ten pounds per year to start on October 10, 1786, two months prior to his submitting his claim. Even though he provided adequate proof of his attachment and duty during the war, the Commissioners felt that as a single man, Peters would be able to support himself.¹¹⁰ The Commissioners did not always make that a factor in claims filed by white men and women.

Shadrack Furman's case is a bit different, mainly because he lost his eye sight and the use of one leg as a result of Patriot abuse. He provided certificates from Sergeant John McDonald and Thomas Willis. They attested to Furman's loyalty and service to the British army. Furman stated in his claim that he was unable to support himself in London except by playing the fiddle,

¹⁰⁶Ibid., reel 102, 25, 156.

¹⁰⁷Ibid., reel 99, 343.

¹⁰⁸Ibid., reel 99, 334.

¹⁰⁹Ibid., reel 99, 355, reel 102, 25, 156.

so the Commissioners awarded him ten pounds annually to be retroactive to October 10, 1788.¹¹¹ This amount was decided upon because of the severity of abuse he suffered and his inability to work.¹¹² Most white Loyalists received at least twenty or thirty pounds, and the grants were awarded yearly. This was a larger amount than Commissioners awarded most black Loyalists.

The last six men received stipends of five pounds each. The Claims Commission took into consideration Loyalists' service, loss, and need. In case after case, "the treasury indeed seems to have regarded an annual 100 pounds as the necessary minimum income for an American accustomed to a comfortable existence."¹¹³ That amount was then proportionally increased or decreased to compensate the petitioner according to the losses, proof of loyalty, and former status in the colonies. Slaves and free blacks were not used to a luxurious existence and thus received significantly smaller stipends. Also, the Claims Commissioners were careful not to reward a Loyalist with too large a stipend. They feared it would elevate his or her status above their position in the colonies prior to the war.¹¹⁴ David King, a slave at the beginning of the war, served as a courier to the British army. He stated that his master, William Kippen, "gave him Liberty to do as he pleased during the Rebellion." Such freedom gave him the opportunity to work as a shoemaker and he acquired a small amount of property prior to his fleeing America. General Washington imprisoned him and the Patriots confiscated his house and land. King provided a certificate from Colonel Fanning attesting to his service and, although the

¹¹⁰Ibid., reel 102, 25.

¹¹¹The writing was very difficult to decipher, the date might have been 1786. Ibid., reel 102, 156.

¹¹²Ibid., reel 102, 156.

¹¹³Norton, *The British Americans*, 56.

¹¹⁴Ibid., 56.

Commission felt that he probably gained more than he lost due to the war, they awarded him a one time payment of five pounds.¹¹⁵

James Franklin worked in the navy. His memorial, written by Colonel Fanning, led the Commission to award him a single payment of five pounds.¹¹⁶ John Brantford joined the British army when it took Savannah, Georgia and was with them until the end of the war. Colonel Fanning wrote Brantford's memorial and Brantford provided certificates from a Mr. Williams and a Thomas Watkins to verify his losses. The Commissioners trusted the word of Colonel Fanning but ignored statements from Williams and Watkins. Brantford received a single payment of five pounds.¹¹⁷ The Patriots arrested and imprisoned Scipio Handley and confiscated his property. He provided a certificate from a Mrs. Sester which confirmed his losses in South Carolina and his capture by Patriots. The Commissioners stated that they were not familiar with this woman and did not know what credit to pay her testimony, although her certificate proved his case.¹¹⁸ The Commissioners decided that "if We are mistaken we wish to err on the humane Side of the Question And as it is reasonable to suppose that some part of his Case is true[,] We think there is no harm in recommending so small a Sum as 5 [pounds] to be given to him, which we mean to be in full for all his Losses."¹¹⁹ While examining the claims, there was a petition for Mrs. Sester, although how much credit one would give her certificate is still in question.

March Kingston was the last Loyalist in this survey to receive recompense. Lord Cornwallis certified that he served as a guide in the British army. The Commissioners believed

¹¹⁵*American Loyalist Claims*, reel 99, 356, reel 19, 351, reel 90, 3/1. David King's property entailed a leather goods shop and paraphernalia associated with this business.

¹¹⁶*Ibid.*, reel 99, 357, reel 99, 358.

¹¹⁷*Ibid.*, reel 99, 358.

¹¹⁸Research done on women's claims produced a Mrs. Sester who did petition the Commission for recompense, but it is not known if this is the same woman even though she also came from South Carolina. *Ibid.*, reels 99-100, 43.

his claim for the loss of a horse and saddle and recognized his faithfulness and the important work he performed during the war. They felt that because he was healthy, he would be able to earn a living and awarded him only five pounds if "he makes no further application to Government."¹²⁰ Such stipulations were not generally attached to claims cases, allowing the Loyalist to find additional evidence to present at a later date to bolster his or her claim.

The rest of the claims examined did not receive any awards for service, loyalty, or lost property. The Commissioners were suspicious about the services blacks, as well as whites, listed in their memorials when the Loyalists provided no proof. While the Commissioners even gave some white South Carolinians, such as John Robinson and William Cooper, time in which to gather proof of their cases,¹²¹ they were less obliging with blacks. Commissioners were blunt in stating their opinions on the seemingly false claims filed by black Loyalists. When stating the decision for George Mills, a loyal black from Virginia, Commissioners wrote that

This Man is on the same predicament with most of the Blacks[,] he gives no proof at all of his Case. However[,] he does not pretend to great Losses & he is Candid enough to admit that he gained his liberty by the Rebellion [thus] we are clearly of the Opinion that he has no right to ask or expect any thing from Government.¹²²

Statements became more acerbic when the Commissioners wrote their decision for Jackson, a Loyalist from New York,

He[,] like all Blacks[,] pretends to be free born in which Circumstance likewise we Conclude that we are deceived for probably in fast (instead of being Sufferers by the War) most of Them have gained their Liberty & therefore come with a very ill grace to ask for the bounty of Government.¹²³

¹¹⁹Ibid., reel 100, 130.

¹²⁰Ibid., reel 100, 190.

¹²¹Ibid., reel 99, 12, reel 100, 35.

¹²²Ibid., reel 99, 23.

¹²³Ibid., reel 99, 82-83.

While the Claims Commissioners did not always believe the testimony of black Loyalists, at least they did hear their claims and evaluate their cases. They took their tasks very seriously, as can be seen in their decision not to grant John Provey of North Carolina a stipend. The Commissioners claimed that he benefited from the war although he fought for the British and provided a certificate from Sir Henry Clinton's former secretary, Captain Smith as proof. The Commissioners discounted his claim for losses,

Such Applications hardly deserve a serious Investigation or a serious Answer. However[,] we think it our Duty in all Cases (however trifling) which come before us to state to the Lords of the Treasury those Reasons which induce us to think that the Parties are not proper Objects of the Bounty of Government. In such a Case as this[,] We trust it will not be necessary to say more than that there is not the smallest Color to consider this Man as an American Sufferer and of Course that he ought not to receive any Allowance.¹²⁴

In other cases, the Commissioners believed that black claims were fraudulent. In their decision not to grant a payment to Anthony Smithers of New Jersey, the Commissioners note that Smithers did not provide any proof, even after given additional time to do so. They further explained their reasoning,

It is proper for us to explain our Reasons for so deciding after a Certificate has been produced. But it is a Certificate signed by two Persons to whom we pay no Credit, manifestly made for another Person and carrying evident marks of fraud upon the face of it. It is singular that the Certificate speaks of Houses and Lands—whereas the Memorialist pretends only to have had one House.¹²⁵

The Commissioners vigilantly attempted to uncover any type of deception to avoid rewarding scoundrels but no rewards were afforded slaves in the United States.¹²⁶ The English, not having a large black population, were more likely to treat blacks humanely in comparison to the Americans.

¹²⁴Ibid., reel 101, 155-156.

¹²⁵Ibid., reel 99, 358.

¹²⁶Goodell, *The American Slave Code In Theory and Practice*, 105, 159.

The most vehement denunciation of a black claim is found in the memorial of William Cooper. Cooper claimed the loss of his shop, house, and inherited property worth five-hundred pounds, which caused the Commissioners to state, "In all probability not a single fact stated by this Man is true. All these Blacks say that they were free born & that they had Property[,] two things which are not very probable." Cooper did not provide any verification for his claims and the Commissioners "did not believe a Syllable of it."¹²⁷ The Commissioners allowed Cooper twelve months in which to obtain proof for his case. The Commissioners were much more diplomatic when examining the claims of white women, nor did they call the claimants liars. It must be kept in mind that the Commissioners were employed to be skeptical. Also, the British public was not in favor of rewarding Americans for their loyalty. Great Britain was suffering from an economic depression, making unpopular the subject of compensation for Americans. In addition, many British citizens in England supported the Americans, making Loyalists unattractive victims.¹²⁸ The Loyalists were in a difficult position, they could not go home and were not welcomed by most of the people in England, who treated them as outcasts.

Black slaves and freemen sided with the British because they had little to lose. Free blacks were from the lower and poorer ranks in the colonies and usually did not own much, if any, land. They did not occupy any political positions which would influence them in becoming Patriots. Many of the slaves and freemen had no attachment to America or Americans. They had been enslaved, discriminated against, and ill treated by Americans, thus making understandable their decision to aid the British. Other conclusions may be drawn about any Americans' choice to remain loyal. Many people believed that the British would win, while

¹²⁷*American Loyalist Claims*, reel 100, 35.

¹²⁸Eliga H. Gould, *Persistence of Empire: British Political Culture in the Age of the American Revolution*, (North Carolina: The University of North Carolina Press, 2000), 150-153.

others remained loyal to avoid having their land and property confiscated during British military occupation. These sentiments can also be applied to black Loyalists. During the war, blacks saw the British, and more specifically Lord Dunmore, as liberators because they offered freedom.¹²⁹ Loyalists' slaves were not as fortunate and thus were usually not able to gain their freedom, unless offered by the Americans.

When commenting on blacks who sided with the Americans, Harriet Beecher Stowe in William C. Nell's 1855 *Colored Patriots of the American Revolution* wrote, "we should reflect upon them as unusually 'magnanimous,' for they served 'a nation which did not acknowledge them as citizens and equals, and in whose interests and prosperity they had less at stake.'" ¹³⁰ The same thing could be said about the thousands of black men who joined the British forces and waged war on America. They served bravely, often contributing vital services to the troops for little recognition. Britain did free many blacks for services rendered during the war. England also saw the inherent evil of the slave trade and slavery and ended both by the 1830s. But black Loyalist soldiers were not treated like other Loyalists. The Claims Commissioners awarded black Loyalists the smallest stipends, harshly criticized blacks for submitting claims and petitions for lost property, and chastised them for being ungrateful to a nation that had given them their freedom. Was freedom enough? Black Loyalists were in a foreign country, far from family and friends, and considered outcasts by the larger pool of white American refugees. In the 1780s, England was in an economic depression. Jobs were scarce and public opinion was aroused by the threat of competition with all Americans. Ideally, Britain should have treated both white and black Loyalists alike, but ultimately, it saw blacks as the least desirable part of the exiled Americans living in England. Black Loyalists' reasons for siding with Britain were

¹²⁹Quarles, *The Negro in the American Revolution*, 19.

basically personal and similar to white Loyalists' reasons for making such a choice. They wanted freedom, hoping that Great Britain would treat them better than had America. While the benefits were marginal, American blacks did enjoy more freedom in England than their compatriots in America.

¹³⁰Kaplan and Nogrady Kaplan, *The Black Presence in the Era of the American Revolution*, 3.

--CHAPTER THREE--
DECISIONS, DECISIONS:
Loyalist, Patriot, Or Neutral Politics

The American Revolution was the culmination of changes in governmental administration, which occurred in the colonies after the 1763 treaty that ended the French and Indian War. The Patriots expressed their opposition to various tax and legislative programs through protests, pamphlets, riots, and uprisings. Once they believed compromise was impossible, some colonists decided to sever connections with the mother country, a decision not taken lightly. Men and women carefully weighed the situation before arriving at their personal, life-altering resolutions. They considered the vastness and power of the British Empire and its well-disciplined army and navy. Some of the American Patriots served with the British in the Seven Years' War and were familiar with their strengths. During the battle of Charlestown peninsula, Colonel Israel Putnam of the Patriots, seeing British soldiers advance on his position, stated "I know the British Troops, I have acted with them; We must retreat, for they will defeat us;" which is what happened during that battle.¹ The colonies had little money or supplies to fund a large-scale military operation and lacked widespread foreign recognition. The Continental Congress found it almost impossible to get war necessities. Americans chose either loyalty to Great Britain, allegiance to the Patriots, or neutrality for a multitude of reasons, including economics, religion, the influence of others, or for safety.

More mundane reasons also influenced many colonists to side with either the Americans or the English. Loyalty or animosity to a landlord, church, or perhaps toward an elite member of

¹Douglass Adair and John A. Schutz, editors, *Peter Oliver's Origin and Progress of the American Rebellion: A Tory View* (Stanford, California: Stanford University Press, 1961), 127. Those who chose neutrality, even for religious reasons, were often forced into service by the Americans. Claude Halstead Van Tyne, *The Loyalists in the American Revolution* (New York: Peter Smith, 1929), 208-212.

the city or town might sway people's minds.² Economic considerations influenced other colonists. Even if farmers, lawyers, and merchants favored the British, they could not easily uproot their livelihoods and move to England. Employment by the crown influenced many officials, such as customs officers and governors, to remain loyal to England. Many took oaths of allegiance to the king and remained faithful to their pledges. Other men and women believed that the king personified evil and wished them harm; their only choice was to fight and win their independence.

Motives abound for the two and a half million American colonists who sided with either the British, the Americans, or remained neutral, biding their time until the war's end. The notion of choice is intriguing. Men and women based their decision on the information and data available to them. This information swayed some to remain loyal and devoted to the king while others sided with the American Patriots. Major factors influencing their choices included ethics, morality, and concepts of right and wrong, promises of liberty or money, and/or loyalty to a local leader. People's perceptions of these factors were very different, making the decision all the more difficult. Most people sided with either the Whigs or the Tories because of their jobs, religious affiliation, opportunity, pledges of allegiance, familial ties, or because they personally experienced cruel treatment. Those who choose neutrality also devoted serious thought to that decision.

Elite males left the most evidence regarding their choices for remaining loyal. These men shared many characteristics. Most were wealthy, politically or militarily active, and committed to an Anglo-American relationship. In addition to such characteristics, author and historian Ann Gorman Condon proposes another distinction which fits well with these Loyalist

²Janice Potter-MacKinnon, *While the Women Only Wept: Loyalist Refugee Women in Eastern Ontario* (Montreal:

gentlemen. She espouses the belief that Loyalists, such as Jonathan Sewall, Joseph Galloway, and others, should not be viewed solely within the context of the revolution but need to be evaluated within a wider context to fully understand their vision of the British Empire and its components. Condon emphasizes Loyalists' view of "empire and liberty," stating that these men "made the defense and preservation of the British empire their most important political principle...[and] ...envisaged an empire whose unifying bond would be the British system of constitutional government...".³ Such visionaries collectively believed that the greatest danger to liberty and freedom came from mob activities.⁴

Benjamin Franklin initially supported this concept but eventually switched political sides, favoring the Patriots and independence. Franklin illustrated his idea of an altered relationship in his 1754 Albany Plan of Union, which he co-authored with Massachusetts governor William Shirley. According to the plan, the colonists would be represented in a central government that would legislate for the colonies under the supervision and approval of parliament.⁵ As war approached in the 1770s, Joseph Galloway proposed a plan that would have altered the existing relationship between Parliament and the colonies as a way of avoiding war and American independence. Galloway's compromise provided for an American Congress to help rule the colonies and permitted colonists more representation and control over their economies.⁶ Condon contends that men such as Galloway, Franklin, William Smith, Jr., and others were "proponents

McGill-Queen's University Press, 1993), 10, 29.

³Ann Gorman Condon, "Marching to a Different Drummer: The Political Philosophy of the American Loyalists," in *Red, White & True Blue: The Loyalists in the Revolution*, Esmond Wright, editor, (New York: AMS Press, 1976), 1-4.

⁴*Ibid.*, 6. G.N.D. Evans, editor, *Allegiance in America: The Case of the Loyalists*, (Massachusetts: Addison-Wesley Publishing Company, Inc., 1969), 6-7, 13, 16.

⁵Franklin proposed the Plan of Union in 1754 as a method of uniting the disparate colonies to defend themselves against the French and Indians during the Seven Years' War. This plan was rejected by the colonists as well as Parliament and the King. John E. Ferling, *The Loyalist Mind: Joseph Galloway and the American Revolution* (London: The Pennsylvania State University Press, 1977), 24.

⁶*Ibid.*, 24, 26.

of a new, more equal, mutually beneficial Anglo-American union [and thus] were the intellectual progenitors of the Loyalist movement.”⁷ As events in the colonies moved closer and closer to irrevocable actions, men such as Galloway and Franklin parted ways, as the colonies and England would soon do. Loyalists in this group espoused an “imperial” view for the empire, one in which the resources, power, economy, and history would be advantageous and mutually rewarding for all involved.⁸ Loyalists believed England, with its constitution and system of laws, would provide a basis of freedom and security, and could sell its manufactured goods to American colonists. The colonists, in turn, would furnish the mother country with raw materials and renewable resources, such as timber and animal pelts. In return, Loyalists expected English protection for their land and system of trade.

Although all elite colonists did not agree, many shared qualities and characteristics that helped sway them to remain loyal, such as religious affiliation, patronage, and fear of upheaval and instability. Middling and lower ranking Loyalist women held similar ideologies which influenced their political loyalty to Great Britain. Women were aware of events that affected society. Women could not vote, but they could and did read the many political tracts in local newspapers and pamphlets circulating throughout the colonies and were often present during political discussions in their homes and in public. Politics and war affected both men and women since they were in physical danger. War took fathers, husbands, and sons away to fight and die in battle, and made women responsible for running farms, plantations, and/or family businesses until their men returned to reclaim the roles. Women were interested, informed, and aware of the various political, philosophical, and ideological arguments circulating in the era of the American Revolution.

⁷Condon, “*Marching to a Different Drummer*,” 5.

Historians do not agree on the role and status women occupied during the revolution. Some, like Linda K. Kerber, contend that most women were not active, political beings during the war. Rather they acquiesced to the decisions of their husbands, fathers, or brothers, and remained faithful, passive, and supportive, regardless of their own ideologies. Kerber does, however, recognize the roles women played in aiding armies, maintaining farmsteads, and supporting economic boycotts at the behest of men. She also maintains that women were largely domestic creatures, mindful of their place in society, seldom straying into male dominated areas of politics and war. When Kerber mentions women's active service during the war, it is reactive in nature, rather than independent and politically motivated by their beliefs and actions.⁹ While it is undeniable that women were not in fact recognized as political beings and were largely expected to perform domestic tasks, Kerber does point out some active female participants from the era, but reiterates that women were largely apolitical.

This view thoroughly discounts the fact that women had a stake in the outcome of the war, regardless of whether they were consulted on its initiation. It also negates women's ability to arrive at a political decision in line with the fact that society contended, "that married women could make no political choices of their own."¹⁰ Not all colonial women were passive. While Kerber explores the poor treatment of women during the revolution, she ties their acts with domestic intent rather than political ideology. Much of colonial women's world was tied to the domestic sphere, but to deny their political thoughts, actions, and beliefs makes them appear as bystanders in this story, rather than as motivated, partisan beings, much like their husbands, fathers, sons, and brothers. Women were spies, carried intelligence, hid the enemy, and provided

⁸Ibid., 5-6, 17, 18.

⁹Linda K. Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America*, (New York: W.W. Norton and Company, 1986), xi-xii, 8, 9, 11.

¹⁰Ibid., 9.

much needed material necessities to the war effort on both sides. They also worked for the armies, cooked, cleaned, nursed, and did laundry. Although many of their activities were domestic in nature, the fact that they were in the middle of a war imbued those domestic activities with political meanings.

The women who filed claims in England and Nova Scotia did not actively aid the British cause by fighting, but they were aware of their husbands' and their own contributions to the war effort. They were also keenly aware of their losses; not only monetary and property but also family, friends, neighbors, and countrymen. They realized that their political decision to side with England was significant, and those who contributed to the war were at risk. The mere fact that they were female was not adequate protection for them from the wrath of the Patriot masses. Many women suffered physical punishment, disfigurement, incarceration, loss of property, money, and loved ones at the hands of the enemy. It is true that "The female experience of both the revolution and the Republic was different from that of men," but it is too simplistic to conclude that women were "apolitical unless proven otherwise."¹¹ Some women acted politically and were motivated by propaganda and facts while others simply followed their husbands lead.

New Jersey women, such as Mrs. James Kerr, Mrs. Brown, Mrs. Mary Barnes, Mrs. Hamer, Mrs. Stockton, and Mrs. Elizabeth Gosling Potts, were loyal and that loyalty stemmed from their fathers' and/or husbands' enlistment in the British military. These women were faithful to the crown because their loved ones fought for the British cause. Many of the above-mentioned women's husbands died as a result of the rebellion. Thus these women were most

¹¹Ibid., 11, 9. Kerber quotes American officials in the comment that women were "apolitical unless proven otherwise," showing the feelings of the era. Nevertheless, she supports the idea that women were largely domestic, and played a "political role ...at home" while I tend to see them being political in public as well as in private, just by their deeds.

unlikely to side with the Americans during or after the war. Such emotional attachment was common, although many women did not leave written accounts to justify their ideological reasoning. Not all women sided with their fathers or husbands. Grace Gowden Galloway's husband, Joseph Galloway, opposed the Americans' cause and worked for the British during the revolution. He eventually fled the country and spent the rest of his life exiled in England. Grace Gowden Galloway did not join him. She remained in the couple's home and supported the Patriot cause. At the time of her marriage to Benedict Arnold, a military officer in the Continental Army, in 1779, Peggy Shippen Arnold favored the British cause. Eventually, Arnold switched sides to become the infamous traitor.¹² These women, and others like them, weighed the facts in a different manner than their spouses, thus accounting for their choices. Some were able to alter their husbands' politics while others were not.

Some women remained loyal to Great Britain because, like other Tories, they were recent immigrants who had not completely broken their ties with England or developed such strong attachments with the Americans that they were willing to forsake their government.¹³ Ann Russel was a recent immigrant to America.¹⁴ She and her husband, originally from England, lived in Maryland for many years, and then moved back to London. The move led to the confiscation of their Maryland property. Mrs. Russel filed a claim for the property after the

¹²Barry K. Wilson, *Benedict Arnold: A Traitor In Our Midst* (Montreal: McGill-Queen's University Press, 2001), 151.

¹³Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Company, 1969), 45.

¹⁴While this is true, not all recent immigrants remained loyal and faithful to England. Thomas Paine, who immigrated to America from England in 1774, was a great rebel and author of *Common Sense*, a pamphlet published in 1776 which helped sway people to break with England and form an independent country. Source Complete Reference Library, Compact Disk, 1995.—Thomas Paine article.

revolution.¹⁵ Obviously, not all newly arrived immigrants sided with England, but they were more likely to do so than those who immigrated earlier.

Some women chose loyalty as a means of self-preservation or protection because they experienced abuse at the hands of the Patriots. The Cory family was loyal for many reasons, not the least of which was for refuge. Sarah and Griffin Cory lived in New York¹⁶ prior to the war. Once the war began, two of their sons joined the British military, causing the aged Griffin Cory to be harassed by local Patriots. After suffering imprisonment, he fled behind British lines. The remainder of his family joined him months later. Before her flight, Whigs confiscated Sarah Cory's property, renting her a room in her own house. The Patriots sold all of the family's belongings and real estate.¹⁷ The loyalty that the Corys exhibited most likely stemmed in part from the ill treatment they experienced, and the sacrifice they made when one of their sons was killed in the war. Elizabeth Green's experience was similar to that of Sarah Cory. Green's husband Thomas joined Colonel Andres Emerick's Corps, and then joined Colonel John Delaney until his death.¹⁸ Green lost all of her property, one of her two sons and her husband, and fled to the British for protection from the Patriots.¹⁹

Rebecca Callahan's husband, Charles, was loyal. After being driven out of Maine by Patriot forces, he joined the Royal Navy. Mrs. Callahan attempted to remain in her home during the war, but Patriots "turned [her] out of the House...and all her Household Furniture and other personal Estate was taken and sold at Public Auction." The Patriots pursued her further, threatening her with arrest and imprisonment. Fearing additional abuse and incarceration,

¹⁵The Public Records of Great Britain, Series 1, *American Loyalist Claims, 1776-1831* (Exchequer and Audit Department, 1972), reels 9-13, 19-31.

¹⁶Although the British held New York city for most of the war, many other parts of the state were not under their control.

¹⁷*American Loyalists Claims*, reel 25, 363-370.

¹⁸*Ibid.*, reel 26, 13-15.

Rebecca Callahan fled, making her way to safety in Nova Scotia.²⁰ Patriots abused Barbara Blain, wife of William Blain of New Jersey. They forced William Blain to flee the colony, after he refused to take an oath to the American cause, leaving his wife behind. Within two months of his departure, the Patriots “threatened to burn her house about her Ears,” at which time Mrs. Blain fled. She was able to take some of her clothing with her; more than some Tories would be able to do, eventually landing in England.²¹ The Blains’ loyalty stemmed from several factors. The Patriots targeted Mrs. Blain for abuse. Patriot threats and the protection offered behind British lines certainly made her choice of loyalty one based on personal safety. Mrs. Price of New York also fits into this classification. Her husband served as Surgeon for the second Battalion of the Royal Arms. He died early in the war, in 1775 at St. Vincent’s.²² She survived on a small pension and money earned from her needlework. Had she sided with the Patriots, she would have lived more affluently because she owned property in the colonies.

Margaret Hutchinson fits into both of the aforementioned categories. She and her husband John immigrated to America in 1774. She lost three of her sons in service to the king, one of whom the Patriots hanged as a traitor.²³ Fearing Whig violence, the Hutchinsons fled to safety behind British lines. In 1781, John Hutchinson drowned on his way to file a claim in England. Mrs. Hutchinson was thus “left a Widow far from her Friends and Relations and deprived of all her Property.” She sought refuge with her remaining son and daughters in Canada. Another Loyalist, Mrs. Frances Dongan, faced even more imminent danger as “she with baby on her arm ran for safety through Salt Marshes, Ditches, and Mire, in many places up

¹⁹Van Tyne, *The Loyalists in the American Revolution*, 128.

²⁰*American Loyalist Claims*, reel 10, 351-352.

²¹*Ibid.*, reel 13, 157-158.

²²*Ibid.*, reels 99-100, 50. Kerber also discusses women as refugees and outcasts as a result of their loyalty. Kerber, *Women of the Republic*, 29-30.

to her knees, [with] rebels” shooting at her. Mrs. Dongan, originally from New Jersey, saw her husband chased out of the colony because he would not join in the Patriot effort. She was later driven out of her home so it could be converted into Patriot quarters. Mrs. Dongan joined her husband in British-occupied New York, where she almost lost her life at the hands of invading Patriots, who killed her husband. Her child died of illness a day later.²⁴ Such an experience at the hands of the Whigs certainly justified her loyalty to England.

The Patriots molested Mary Kearsley’s family, eventually ending her husband’s life. The Kearsley family lived in Philadelphia, where John Kearsley served as a local “Doctor of Physician.” Late in 1775, Patriots invaded the Kearsley home, injuring Dr. Kearsley and then parading him throughout the town. Later, the Patriots seized the doctor and jailed him. Dr. Kearsley soon died of ill health.²⁵ Mrs. Kearsley fled to the countryside with her children, leaving most of her possessions behind to be looted by invading Patriot forces. The Kearsley family sought refuge in England, surviving a shipwreck, and arriving with simply the clothes they wore.²⁶ Mrs. Kearsley’s loyalty stemmed from Whig abuse of her husband and her family as well as the kind treatment and provision of safe haven offered by the British. The Kearsleys were certainly wealthy, as attested by the claim Mrs. Kearsley filed, so they might also have resented uprisings led by the lower ranks of society.

The experiences of Catherine Tweed’s family were even more perilous than that of the Kearsleys. Mrs. Tweed and her husband, William, lived in Charlestown, South Carolina when the troubles began. The fact that Mr. Tweed was born in England enhanced his decision to side

²³For several accounts of Loyalists see Catherine S. Crary, *The Price of Loyalty: Tory Writings From the Revolutionary Era* (New York: McGraw-Hill Book Company, 1973), 224-239.

²⁴American Loyalists Claims, reel 13, 259-261. Crary, *The Price of Loyalty*, 201-224. Potter-MacKinnon, *While the Women Only Wept*, 38.

²⁵*American Loyalist Claims*, reels 38-42, 272-276.

²⁶*Ibid.*, reels 38-42, 277-279.

with the British. His refusal to swear allegiance to the Patriots resulted in his banishment from Charlestown, at which point he joined the English army as a courier for Colonel Campbell. Patriots captured and tried him as a spy. They hanged William Tweed and then incarcerated Catherine Tweed and her children. Patriots, acting in accordance with Congressional orders, expelled the Tweed family to New Providence.²⁷ Mrs. Tweed was left destitute, when the Patriots confiscated most of her property, slaves, money, and possessions. Such experiences at the hands of one's countrymen would be enough to turn anyone into an enemy and Loyalist.

Mrs. Thomas suffered similar treatment at the hands of the Patriots. The Thomases lived in West Florida, where Colonel Thomas served as Superintendent of Indian Affairs²⁸ for the area. He died in 1776, leaving Mrs. Thomas to fend for herself. The Patriots captured her twice and forced her to swear allegiance to their cause, indicating an awareness of women as political beings. The Whigs believed that disaffected women could effectively threaten the war effort. Despite her oath, the Patriots continued their abuse, destroying her plantation and property.²⁹ Similar to Mrs. Thomas' experiences, the Patriots also harassed and intimidated Sarah Grant and her family. Major Alexander Grant, Sarah's husband, came to America as a soldier in Colonel Archibald Montgomery's Highlanders during the Seven Years' War. After the war, he settled in New York, where he acquired a modest estate. When this war began, Grant joined the New York Volunteers and again fought for the crown. The Patriots imprisoned Grant, who later escaped and re-joined the British. He continued to lead his men until he died "during the attack of Fort Montgomery." The Patriots tormented Sarah Grant and her five children, confiscating all of their belongings. The family was "stripped of everything, not even a change of linen being

²⁷Ibid., reels 48-50, 224-231, 232-235.

²⁸ The title for Colonel Thomas is stated "Superintendent of India Affairs" in the Claims Commission records.

²⁹Ibid., reels 99-100, 61-62. For further information regarding hostility toward Loyalist women in Kerber, *Women of the Republic*, 50.

left them and sent into New York some time after that City was in possession of the British Troops.”³⁰ Once within the British lines, Sir Henry Clinton provided Sarah Grant with a British-seized “rebel farm on Long Island[,] to enable her to support the family.”³¹ Once the British left New York, the Grant family traveled to Nova Scotia, but on their journey, Mrs. Grant “lost her life...in consequence of severe cold after being ship wrecked in crossing from Annapolis to this Place.”³²

Patriots also abused and harassed Lady Juliana Penn, Miss Elizabeth Galloway, Mrs. Rachel Nobel, and Mrs. Sarah Fowler. In each case, their husbands or fathers fought for the British as Loyalist soldiers. The Patriots imprisoned Rachel Nobel’s three children for nearly a year, and seized her possessions to sell them for the benefit of the state.³³ Many Loyalists wanted to return to the order and civility they witnessed under British authority.³⁴ John Hamilton, husband to Mary Rice, suffered and died in service to the British. He immigrated to New York from Scotland and worked as a doctor or surgeon until the war broke out. During the war, Hamilton recruited men and acted as a courier, spy, and surgeon for the British. The Patriots captured, imprisoned, abused, and tried Hamilton as a traitor. His home, belongings, and other property were looted and confiscated. Lord Howe appointed him ship surgeon after his escape from the Patriots, and he died in 1780, on board HMS *Centaur*.³⁵ It is understandable that Mary Hamilton Rice would side with the British government. The Patriots harassed,

³⁰*American Loyalist Claims*, reel 26, 48-51.

³¹*Ibid.*, reel 26, 51-54. For more information regarding Patriot harassment, confiscation, and abuse of Loyalists, see Potter-MacKinnon, *While the Women Only Wept*, 53.

³²*American Loyalist Claims*, reel 26, 51.

³³Elizabeth Galloway and Lady Juliana Penn were both from wealthy and influential families and suffered abuse from rebels. *Ibid.*, reels 99-100, 79-80, reel 43, 63-202. Mrs. Rachel Nobel and Mrs. Sarah Fowler both lost their husbands in service to Great Britain, both were treated poorly, and lost their real and personal property as a result of their loyalty and their husbands’ service. *Ibid.*, reels 14-16, 160, reel 23, 95-103.

³⁴Potter-MacKinnon, *While the Women Only Wept*, 10.

³⁵*American Loyalists Claims*, reels 17-20, 21-25.

mistreated, and imprisoned her husband, and stole his possessions. As a result of the war, Mrs. Rice was left a widow, destitute, and with a young son to provide for.

There were many reasons people chose to be loyal to Great Britain. Minorities skirted the conventions of the day, while women were more knowledgeable about the law and economics.³⁶ Not all Loyalists were treated equally by the Claims Commission, which discriminated in its disbursement of recompense. Some Loyalists' allegiance to the British stemmed from their ability to profit from troops stationed in the colonies. Loyalist Ann Hulton commented on this situation in July of 1774, noting Loyalists' lucrative trade with British troops during their occupation of Boston. Many Loyalist merchants supported King and government "more from interest than principle."³⁷ Obviously, economic motives were not the only reason for Loyalists' support. The colonists most likely to remain loyal included recent English, Scottish and German immigrants who "arrived in the colonies during the Seven Years' War as members of the armed forces, which inculcated loyalty," in its members and "cultural minorities," such as Indians and African-Americans.³⁸ The immigrants "felt gratitude to the British Government, which had sometimes paid their passage and granted them title to land that they now feared to lose."³⁹ Slaves who joined the British did so partly to gain their freedom. Some colonists signed oaths of loyalty to whoever had the most to offer in the form of aid, protection and chance of victory, or controlled the area in which they lived. Others were forced to sign oaths to avoid confiscation of their land, imprisonment or death at the hands of angry mobs.⁴⁰ The colonists did not necessarily agree with the oaths; they did what was expedient at the time.

³⁶ See chapter one for more examples of women and the law.

³⁷ Ann Hulton, *Letters from a Loyalist Lady* (New York: The New York Times and Arno Press, 1971, 1927), 74.

³⁸ Brown, *The Good Americans*, 45-49. The Seven Years' War occurred from 1754-1763. It is also known as the French and Indian War and The Great War for Empire.

³⁹ *Ibid.*, 45-49.

⁴⁰ *Ibid.*, 126.

Loyalists, regardless of color or gender, did not always agree with laws passed by Parliament, but they "were captivated by the ideal of the British Empire and by the theory of how British institutions should operate."⁴¹ They were not opposed to change and/or reform but wanted it within the existing system. Loyalists saw "British ignorance of colonial conditions and lack of concern for American interests...[as the]...key deficiencies which had to be overcome if the empire was to survive."⁴² Jonathan Boucher, a Loyalist preacher from the colony of Maryland, cited this fact, among others, in a November 27, 1775 letter to Lord George Germain, the British war secretary, while Boucher was exiled in England.⁴³ Those deficiencies were never corrected, leading many Loyalists to flee to Great Britain, Canada, the West Indies, and Nova Scotia.

Other women's loyalty stemmed from their own ideologies and political affiliations. Mary Airey was a widow in New York when the war started. She ran a boarding house and provided aid for the British troops. Perhaps her late husband's service in the British military or the fact that she was born in England might have swayed her to support the English, but she had a successful business in America prior to the war. Mrs. Airey remained loyal to England in spite of her life in America.⁴⁴ Catherine Leach was a self-designated Loyalist. She made up her mind to remain loyal:

on the Commencement of the Rebellion she saw with Horror the cruel practices of Rebel Riding...exercised on the Friends of Government and endeavored by every means in her power to conceal and preserve many faithful Subjects from the Persecution of the Rebels which Conduct excited their animosity and subjected her to the most mortifying insults.⁴⁵

⁴¹Janice Potter, *The Liberty We Seek: Loyalist Ideology in Colonial New York and Massachusetts* (Cambridge: Harvard University Press, 1983), 153.

⁴²Ibid., 157.

⁴³Anne Y. Zimmer, *Jonathan Boucher: Loyalist in Exile* (Detroit: Wayne State University Press, 1978), 196-198.

⁴⁴Ibid., reels 24-26, 78, 80.

⁴⁵Ibid., reel 24, 350.

The fact that Mrs. Leach also provided intelligence to the British did not endear her to her neighbors, causing her to seek asylum in England.⁴⁶ She too was a recent immigrant, coming from Scotland in 1772, but her overt acts in favor of Government caused her great trouble with the Patriots.⁴⁷

Mrs. Hutchinson, a Philadelphia, Pennsylvania widow, placed herself in a similar situation. After her husband's death in 1775, Mrs. Hutchinson continued their business "in hosiery and other goods." She even provided aid to British soldiers stationed in the area. When the British evacuated the city, fear of Patriot abuse forced Mrs. Hutchinson to accompany the departing army, "because of the services she rendered to the British Army." Such a bold move was significant. Mrs. Hutchinson risked her livelihood to support her political ideology, which resulted in her losing everything.⁴⁸ Had she remained silent politically, she might have kept her possessions. Mrs. Sester also ran a shop in the colonies. Whigs most likely targeted Sester's shop in Connecticut because it sold English goods, at a time when Patriots boycotted all things English. Patriots often looted and pillaged their enemies' property to terrorize them and eliminate British support. These women, instead of changing their politics, left the country.⁴⁹ Mrs. Sester did not allow the Patriots to terrorize her into changing her political alliance. Rather than remain in America, where Patriots might harm her and destroy her shop, Mrs. Sester withdrew from the country to seek safety in England. She showed real courage and fled only when the Patriots threatened her life.

New York Loyalist Rachel Wetmore, also helped the British cause along with her husband at the time, Benjamin Ogden, an officer in the Prince of Wales's American Regiment in

⁴⁶For more information regarding women as spies, see Potter-MacKinnon, *While the Women Only Wept*, 46-47.

⁴⁷*American Loyalists Claims*, reel 24, 350-351.

⁴⁸*Ibid.*, reels 99-100, 56-57.

⁴⁹*Ibid.*, reels 99-100, 43-44, reels 99-100, 60-61.

New York. During the early years of the war, the Ogdens converted their home into a haven for Tories, especially those awaiting conferences with Governor William Tryon aboard the HMS *Asia*.⁵⁰ In addition to his military service, Benjamin Ogden also worked for the Governor, served as aide to General Howe and Captain Montozure, was bridge master in Long Island, fought as a Captain under Governor Brown, and gathered intelligence. He was captured and imprisoned by the Patriots. He was killed on August 6, 1780 in the Battle at Hanging Rock, South Carolina.⁵¹ As a result, Mrs. Wetmore was left a widow with four children, a small military subsidy, and a few personal possessions from her home in New York.⁵² She left the country and settled in Nova Scotia. Her loyalty for the British and animosity toward the Patriots is understandable. Patriots looted her home, confiscated her property, and killed her husband in battle.

Religion played an important role in many colonists' lives and influenced some in their political alliance during the war.⁵³ Many Anglicans and most Anglican clergymen supported the British government in the colonies and opposed any attempt to throw off British rule.⁵⁴ Mr. and Mrs. Sargent lived in New England. Mr. Sargent was an Anglican clergyman, employed by the Society for the Propagation of the Gospel based in England. He died in 1780, causing Mrs. Mary Sargent and her two young daughters to seek refuge in England. Mrs. Sargent's loyalism was most likely linked to her religious beliefs as well as to her husband's position in the

⁵⁰Ogden worked with Governor Tryon until July 1776, when General Howe arrived, after which he aided General Howe and Captain Montozure, and other Loyalist soldiers. Ibid., reel 25, 190-191. Kerber also discusses women as spies and sympathizers and how Patriots regarded them as a threat. Kerber, *Women of the Republic*, 48-50.

⁵¹*American Loyalists Claims*, reel 25, 190-191.

⁵²Ibid., reel 25, 192-194.

⁵³Brown, *The Good Americans*, 33, 243.

⁵⁴G.A. Rawlyk, "The Reverend John Stuart: Mohawk Missionary and Reluctant Loyalist" in *Red, White and True Blue: The Loyalists in the Revolution*, Esmond Wright, editor, (New York: AMS Press, 1976), 58-59.

Society.⁵⁵ Mrs. Achmuty's loyalty also related to her religious beliefs and the fact that her husband was Rector of New York City's Trinity Church.⁵⁶ Mrs. Achmuty's decision to flee shows her trepidation of remaining in America under the possible rule of Patriots. Had she supported the Whigs' cause, she would not have felt the need to flee. Even though New York City remained in the hands of British troops, Patriots still harassed many Loyalists in New York State and war hardships made many Loyalists flee.

While religion played a role in explaining why some colonists remained loyal, so did other factors, such as employment by the Crown. Royal officials remained loyal to Great Britain during the war.⁵⁷ Their loyalty would most likely be rewarded once the rebellion was put down. It would also ensure that they would be compensated with government jobs in the post-rebellion colonies. Thus it is not difficult to understand the loyalty exhibited by widows and other family relations of government officer-holders during the war. Many of the petitioners for recompense were just such women. Susannah Wylly of Georgia lost her husband as a result of his loyalty. Due to his positions as Speaker of the House and Clerk of Council in Georgia, and his loyalty, Patriots perceived Alexander Wylly as an enemy to the American cause. Thus he and his family had to flee the colony to avoid abuse. He then served with the British, as a captain of militia, in 1778, during the siege of Savannah, and died while in their service.⁵⁸

The Patriots also viewed Elizabeth Dulany as an enemy due to her family's history of service to the crown in Maryland. Lloyd Dulany, Mrs. Dulany's late husband, came from "a family which had long executed the Offices of Chief Trust in the government of Maryland." For his part, Mr. Dulany agitated for the rights of English debtors to be properly paid and worked

⁵⁵*American Loyalists Claims*, reels 99-100, 47-48.

⁵⁶*Ibid.*, reels 99-100, 65-66.

⁵⁷Brown, *The Good Americans*, 44.

⁵⁸*American Loyalists Claims*, reels 4-8, 114-116.

diligently to garner support for Britain in the colony. Placing himself in such a visible position as a Tory, he quickly “became a marked man by the Patriots,” causing him and his family to seek asylum in Great Britain. Mrs. Dulany and her family were Loyalists; her father was well known in Maryland, serving as its Chief Justice, making him more likely to remain loyal during the war. Coming from a family distinguished for its civil service to the Crown placed Mrs. Dulany and her family in an awkward position. They faced great opposition and abuse from former friends and neighbors on account of their constant and continued allegiance.⁵⁹

The Howard family was in a similar position to that of the Dulanys. Mr. Howard had served the government of North Carolina as its Chief Justice and his wife and daughter survived him. Mrs. Howard fled with her daughter to England and filed for their losses.⁶⁰ Michael Smith served as Sheriff of Beaufort, South Carolina as well as Controller of County Duties. He was also a naval officer and died early in the war. His wife, Elizabeth Smith was loyal to England. Because of her husband’s various government and military positions, she was not safe in America. Mrs. Smith and her three children fled the colony, fearing Patriot violence, and sought refuge in England. She filed for lost property in 1783.⁶¹ Mrs. G. Sandford of Rhode Island also falls into this category. Sandford, the sister of Thomas Hutchinson, Governor of the colony of Massachusetts, claimed an estate of two farms and property that generated one hundred pounds of revenue a year. Governor Hutchinson cared for his feeble sister prior to his death, after which, her nephew Thomas Hutchinson assumed the role.⁶²

Many Americans struggled with the decision of allegiance during the American Revolution. If men and women sided with the Americans, they might face a crushing defeat at

⁵⁹Ibid., reels 4-8, 369-370. The idea of allegiance tied through marriage is well discussed in both Kerber and Potter-MacKinnon.

⁶⁰*American Loyalists Claims*, reels 64-71, 13.

⁶¹Ibid., reels 64-71, 15-16.

the hands of a powerful and well-trained English military. The Americans, until aided by the French, were poorly trained, poorly financed, and poorly supplied. Early in the war, they had few victories and were never completely sure of their military numbers because many soldiers deserted to help their families at home. Although there were many factors against their success, the Americans did have some advantages. First, they were familiar with the terrain. They were adept at guerrilla fighting, were near supplies, food, and friendly civilians who would help them. They were also motivated by a desire to expel the English from their land, and protect their homes. The final motivation was that in success lay freedom, while failure meant arrest for treason and probable death for many.

The choice for Loyalists was just as difficult. The elite, who sided with Britain, hated to see their country devolve into mass chaos, where brute force and mob rule supplanted order and constitutional authority. They also believed that the British army and navy would be victorious. The British had experience, funding, foreign aid in the form of Hessian troops, and a well trained military who were known for their successes on the battlefield. Regardless of these almost overwhelming aspects, the British were fighting on “foreign” soil, where they could not depend on the citizenry to supply them with food and other necessities. When supplies were not available in America, the military shipped them in from Nova Scotia, Canada, or England making the wait for additional troops, food, supplies, and arms costly. The British often made enemies of their allies and employed some inept officers causing the odds to be more balanced between the two foes.

The notion of choice, to support or oppose the war, was not simply an isolated issue for English men and women in America; it also affected English men and women in England. The

⁶²Ibid., reels 99-100, 39.

war was not uniformly supported in America or in England where many opposed their government's use of coercion and force against colonial Americans. Almost fifty percent of Parliamentarians and their electors favored the colonists' cause and believed that a return to pre-1763 legislative conditions was preferable to war; "the economy and the nation could not afford to carry the burden of a war against one of England's best customers."⁶³ England's "blue water strategy,"⁶⁴ was dependent on the American colonies and their ability to supply raw materials, purchase finished English-produced goods, and help defend the empire.

Objection to the war was not always simple. Some people in England, especially those in the press, supported the American cause as a result of their political opposition to the government of Lord North. Newspapers such as the *Kentish Gazette*, the *Salisbury and Winchester Journal*, the *Leeds Mercury* and others favored the cause of America, and "the North ministry was plagued by overwhelmingly opposition press from the first news of the Battle of Lexington to the day, seven years later, when it was finally driven from power, to the applause of this hostile press."⁶⁵ The press was not an unbiased news medium. It was blatantly pro- or anti-government and it informed readers and also shaped their perceptions of and reactions to the war.

England's public received much information regarding the American Revolution. The British government used its power and influence to distribute its version of the war's progress through government-sponsored newspapers and publications. The American Patriots sent their

⁶³James E. Bradley, *Popular Politics and the American Revolution in England: Petitions, the Crown, and Public Opinion* (Macon, Georgia: Mercer University Press, 1986), 86. Solomon Lutnick, *The American Revolution and the British Press* (Columbia, Missouri: University of Missouri Press, 1967), 85, 54.

⁶⁴The term "blue water strategy" refers to England's desire to conquer or rule the seas, which emerged in the early eighteenth century. Keeping close ties with and control over the American colonies was instrumental to this strategy. Eliga Gould, *The Persistence of Empire: British Political Culture in the Age of the American Revolution* (Virginia: University of North Carolina Press, 2000), 54-56.

documents, letters, grievances (with the British government), and ideology to England and the British people read information from both sides.⁶⁶ The illiterate and the poor people of England gained their knowledge of the current events regarding this war from frequenting local pubs and coffee houses. Proprietors provided newspapers for their patrons, and it was common for the news to be read out loud and discussed by the customers.⁶⁷ Most of the adult population of England read or learned about the latest accounts of the war and formed opinions.

There was no overwhelming support for the war in England. Initially, the issue revolved around economics and taxation without representation. Then, as the war escalated, the issue was “Parliamentary supremacy.” Such a shift limited the ways in which people expressed their opposition to the war and also limited colonists’ ability to negotiate these issues.⁶⁸ Many American, as well as Britons, sent petitions to Parliament, and later the King, in favor of ending hostilities. The government ignored these documents, causing the people to protest their own conditions in England.⁶⁹ While some Englishmen in England saw this as a break with tradition, others supported Parliament’s endeavors to make the colonists obedient:

most Englishmen see the American crisis as more than simply as an economic or trade issue. Even those opposed to the use of violence in America realize[d] the Americans are not properly submitting to Parliamentary and Constitutional authority.⁷⁰

The war was unpopular with the English people in spite of the government’s manipulation of the press. In August of 1775, Lord North admitted in correspondence to King George III that the

⁶⁵Lutnick, *The American Revolution and the British Press*, 11. Bradley, *Popular Politics and the American Revolution in England*, 91.

⁶⁶Lutnick, *The American Revolution and the British Press*, 11-15, 20, 37, 42. Bradley, *Popular Politics and the American Revolution in England*, 91.

⁶⁷Lutnick, *The American Revolution and the British Press*, 2.

⁶⁸Bradley, *Popular Politics and the American Revolution in England*, 25.

⁶⁹*Ibid.*, 36, 41-48. The government also ignored petitions from America.

⁷⁰*Ibid.*, 70-72.

war was not widely supported, stating “The cause of Great Britain is not yet sufficiently popular” with the common people.⁷¹ The majority of the Englishmen in England did not oppose the war, but a vocal and significant minority of the population wanted it to end. James E. Bradley, author of *Popular Politics and the American Revolution in England*, believes that one-third were adverse to the war and “Though a minority, the extent of this opposition would nevertheless warrant classifying the American conflict as England’s least popular modern war.”⁷² Neither were all English men and women in America united in their support of the war. Estimates from Wallace Brown, author of *The Good Americans: The Loyalists in the American Revolution*, indicate that approximately one-third of the American population favored independence, one-third favored remaining within the British Empire, and one-third remained neutral.⁷³ Such numbers made the conflict unpopular with many people for a variety of reasons, and the fact that it dragged on for so long also caused discontent on both sides of the Atlantic.

The American Revolution was a complicated, intricate war which pitted not only England against her American colonies, but also neighbors, families, and friends against each other. Loyalty was not a simple decision. Neither was breaking away to form a new country. Loyalty meant staying within the empire and working to change it so that it could adapt to a new, expanding, and more significant role for the colonies. Rebellious meant breaking from tradition, committing treason, and turning away from king and country to forge a new system of governance. There were no guarantees. Many subsequent revolutions ultimately devolved into dictatorships, anarchy, and chaos. With such diametrically opposite choices to make, it is no

⁷¹Sir John Fortescue, editor, *Correspondence of King George the Third from 1706-1783* (London: 1927-1928), 3, 249. Bradley, *Popular Politics and the American Revolution in England*, 207.

⁷²Bradley, *Popular Politics and the American Revolution in England*, 210.

⁷³Brown, *The Good Americans*, 226-238.

wonder that the decision was difficult, and many people vacillated, waiting to see which side had the best chance of victory and success.

Americans, both male and female, became Loyalists or Patriots for such reasons as ideology, protection, promises, money, or for more personal reasons. People weighed the political and ideological concepts circulating at the time and made decisions based on their own best interest. Whether Americans sided with the British or the Patriots, the war proved costly in human as well as economic terms and changed the lives of many. The Americans, as well as the British, were brutal to civilians. Many men, women, and children were abused during the war years. Violence was effective but not all people surrendered their political ideologies out of fear. Some held onto their ideologies and faith in the British system of government to their detriment.

--CHAPTER FOUR--
EFFECTIVE TACTICS
Violence As A Means Of Political And Social Coercion

War, by any definition, includes violence, death, and destruction but it is not simply the goal of men to create havoc, they also mean to affect change. The Patriots' intent, with their Declaration of Independence, was to overthrow the rule of king and parliament and install a system of representative and republican rule. The changes they sought, and eventually won, came at a great price. Not only was that price paid in an economic or monetary sense, for the war wrought much destruction on the American infrastructure. Buildings, crops, and establishments were destroyed, as were human lives. The violence American Patriots and Loyalists experienced changed their perception of themselves and their world.

Each side used violence as a tool to accomplish their aims. Men targeted their enemies, whether men, women, or children, and utilized extreme means to accomplish their goals. Force changed political allegiances and ideologies, reduced morale and the will to fight, and created a sense of fear and terror. Such tactics were effective. Civilian Whigs and Tories, as well as British and Continental soldiers, used various techniques to subdue opposition and maintain order in areas under their control. Sometimes, Patriots directed their fury at those without power or influence, such as women and blacks. Both sides punished women and African-Americans for assisting the enemy and espousing political ideas. Often, this savagery was simply abusive. Patriots misused their power and inflicted pain on Loyalists and neutral civilians to establish their supremacy over people considered second-class citizens. British soldiers and Tories were also guilty of this type of activity. During the war, white men targeted women, the disenfranchised/poor, and African-Americans, both free and slave, because of their inferior status in society and their inability to successfully defend themselves. These people could not

retaliate. They often could not change their political allegiance because they were attached to male Loyalists through marriage/family or ownership, as in the case of slaves.

The fact that the English used force against their own colonists was standard procedure throughout English history. An early example was found in Ireland where the English had for centuries used brutal and restrictive methods in their conquest and colonization.¹ British attempts to subdue and subjugate the Irish people relied upon the use of military force, and under British authority, Parliament implemented laws in Ireland which chronically discriminated against the native Irish, their culture, and their heritage. As early as the 1450s, the English established English common law in the country and made every effort to stamp out the Irish language, traditional dress, clan organization, and distribution of land, inheritance, and education.² The English had no qualms about killing native Irish people, and “the slaughter of Irishmen was looked upon as literally the slaughter of wild beasts,” with no penalties assessed for such actions. In the sixteenth century, Sir Humphrey Gilbert reminisced about “putting man, woman, and child to the sword,” as a means of gaining some semblance of control in Ireland.³ The Irish fought back. Hugh O’Neill, a native Irishman and rebel, left a record of his twenty-two enumerated war aims when he attacked the English in Tyrone in 1599. O’Neill wanted to stop the English practice of kidnapping Irish men, women, and children and holding them hostage as “pledges of good behavior.”⁴ The Americans, in the revolution, used those tactics too, as a means of putting pressure on Loyalists and their families to change their allegiance and control their behavior.

¹John O’Beirne Ranelagh, *A Short History of Ireland* (New York: Cambridge University Press, 1994), 21-25.

²Edmund Curtis and R. B. McDowell, editors, *Irish Historical Documents: 1172-1922*, (New York: Barnes & Noble, Inc., 1968), 40-45, 50-60. Ranelagh, *A Short History of Ireland*, 45-50. James Stevens Curl, *The Londonderry Plantation: 1609-1914, The History, Architecture, and Planning of the Estates of the City of London and its Livery Companies in Ulster*, (Southampton, England: The Camelot Press, LTD., 1986), 7-10.

³Ranelagh, *A Short History of Ireland*, 47-54.

⁴Curtis and McDowell, *Irish Historical Documents*, 119-120.

Similar to treatment of the Irish, in Scotland, after the '45, the English employed brutal tactics to “destroy the clans [hierarchical structure] and to bring the Highlands under political supervision.” In 1746, once the British defeated Jacobites’ efforts to re-establish the Stuart family to the crown, the English pursued participants in the failed revolution and a “great bloodbath ensued to get those who fled or hid.” The English government, in its effort to regain control over the Highlands of Scotland, forbade the wearing of traditional clothing, seized arms, and implemented religious changes.⁵ Of the rebels not executed, the English government transported many to the colonies as indentured servants, while others immigrated of their own accord.⁶ It was usual for the English to make use of military troops, violence, and abuse when subordinate people rebelled.

As a result of such recent incidents, history played an important factor in the role that Scotsmen played in the American Revolution. The Highland Scots of North Carolina, like other people of the day, were a group of colonists who took their oaths very seriously, but other factors weighed significantly in their decision to be loyal or Patriot. According to Duane Meyer in *The Highland Scots of North Carolina: 1732-1776*, not all Scottish immigrants remained loyal to the king. Many faced defeat and humiliation at the hands of the English in Scotland. The English also severely punished the remaining clans, regardless of whether or not they had participated in the rebellion. The punishments were harsh and destroyed the Scottish clan lifestyle. Some of the alterations were painful, while others initiated largely unwanted improvements in their societies.⁷ The end result was an alteration in Highlanders’ agricultural economy, forcing many into poverty.

⁵Duane Meyer, *The Highland Scots of North Carolina: 1732-1776* (Chapel Hill: The University of North Carolina Press, 1961), 14-20.

⁶Ibid., 19.

⁷Ibid., 14-19.

English society was freer than that of other European countries but that freedom often resulted in social upheaval in the form of rioting and violence.⁸ Rioting was an effective way for the disenfranchised to voice their dissatisfaction with current conditions in England. Vagrants were a real threat to the peace and stability of society. The government viewed the poor as sources of possible violence, theft, and disease. In the absence of any professional police force the government employed laws, jail, and the army to control the lower ranks.⁹ Vagrants, the under-employed, the unemployed, and the working poor of England rioted from time to time as a way to make their feelings known in a system where they were “virtually represented” by members of the House of Commons. Without property, they actually had no ability to elect anyone to office. They accepted this concept but periodically felt the need to denounce living conditions, legislation, and other aspects of life in England throughout the eighteenth century. Due to the fact that there was relative prosperity for the middling and upper ranks of society while Sir Robert Walpole, as Prime Minister (1721-1742) maintained peace, the government accepted a certain amount of violence from the lower orders of society. R.K. Webb, author of *Modern England: From the 18th Century to the Present* states:

A scattered and insulated society could tolerate the chaos to which the poor contributed and of which they[,] in turn[,] were victims. A few broken windows or burnt hayricks, even occasional terrorization, were part of the price paid by the English oligarchy for the decentralization through which they had seized control of social administration that[,] in the hands of Tudor and early Stuart monarchs and their councils[,] had come to seem more and more like tyranny. The liberties of Englishmen were not without their cost. But this willingness to accept near-anarchy and a vast extent of degradation is also powerful testimony to the fact that the

⁸Eliga H. Gould, *The Persistence of Empire: British Political Culture in the Age of the American Revolution*, (North Carolina: The University of North Carolina Press, 2000), 14, 16, 23.

⁹A professionalized law enforce agency or police force would not be brought into existence until the nineteenth century. R. K. Webb, *Modern England: From the 18th Century to the Present* (Harper & Row, Inc.: New York, 1968), 30.

eighteenth-century poor posed no meaningful threat to the rulers of England.¹⁰

Since the poor had no real power, rulers in England did not believe that they could overthrow the existing regime or create enough mayhem to substantially harm the government or the elite; thus a certain amount of violence among the poor was permissible.

English society was stratified by economic determinations. By mid century, philanthropy extended to the establishment of hospitals, “charity schools,” and other institutions to aid those in dire circumstances. Still, the unfortunate majority of society could expect their lives to be “poor, nasty, brutish, and short.” According to Webb, “the vast majority of Englishmen lived on the verge of violence, starvation, degradation, and sudden death.” The strict social hierarchy existing in England, meant that few could hope to rise to a better, more stable and secure life. Conditions for the poor, with or without the aid of charitable organizations, could not be significantly improved in an era characterized by primitive medical care, where epidemics and a high infant mortality rate prevailed.¹¹ Many of the indentured servants and immigrants to the colonies in America left England to escape these dire conditions. America offered people with initiative the ability to earn a living, acquire land and a home of their own, and the freedom to practice their religion and politics with much less fear of government interference. Conditions, for the poorer ranks, in America were much better than those in England, and this became obvious for Loyalists who fled the revolution and settled, or resettled, in England during the war. Americans also had more freedom in their ability to influence their local government which, in turn, led to an ultimate break with England. Americans were not as accustomed to the use of violence against them in the colonies, thus when England employed armed forces to quell riots

¹⁰Ibid., 32.

¹¹Ibid., 27-32.

and uprisings in the years prior to the Revolution, many colonists interpreted this as Parliament's attempt to enslave them.

Economics were not the only determinant of status, society also used gender as an indicator and women in the colonial era were seen as a "suspect class." This class or status afforded women little power or protection under the law. They functioned in economic and domestic realms but remained beings who were "political[ly] powerless."¹² Slaves, African-Americans, and the poor also occupied this position in society. Prior to the war, mainstream white male society usually kept women and blacks in subservient positions through the use of societal norms and punishment of socially unacceptable or illegal behavior, public scorn, and ridicule. This method worked relatively well until hostilities broke out between the colonials and England. Once shots were fired, however, American society was turned upon its head. The typical manner of keeping "minorities" and the poorer ranks submissive was less effective since the men, who usually kept the peace and served as authority figures, were now away at war. Patriots' use of violence was one way to reestablish order and also punish those miscreants who acted improperly. The revolutionary activity caused an "internal division of Americans into Whigs and Loyalists that even in 1774 was splintering society and was soon to make the American Revolution[,] in reality[,] the first American Civil War." Injury and injustice was not only inflicted upon Loyalists; Tories also harmed their enemies. Civilian Patriots and Loyalists, as well as soldiers on both sides, employed many of the same tactics against each other, "Uncounted thousands of Americans robbed, persecuted, tortured, [and] killed each other, and[,] by the time the flames began to dim, about one hundred thousand Loyalists had become

¹²Marlene Stein Wortman, editor, *Women in American Law, Volume I* (New York: Holmes and Meier Publishers, 1985), 3.

permanent exiles” and thousands of lives were lost.¹³ The result was the dislocation of many Americans who suffered the loss of their property, estates, and economic hardship.

Persecution of Loyalists, by their former friends and neighbors, began at least a year before American and English soldiers exchanged shots at Lexington and Concord. In many towns and cities, Whigs formed Associations for the purpose of determining men’s loyalty to America.¹⁴ Men, who were found to oppose the American Patriot cause, could face public censor by being “blackballed and [having] their names printed in the newspapers.”¹⁵ By March of 1776, Patriots’ concerns regarding Loyalists’ possible threats, escalated to the point that Congress advised safety committees to deprive Tories of weapons.¹⁶ Assessed properly, Patriots regarded Loyalists as “internal foes,” who had to be carefully monitored.¹⁷ In New York, many believed, “So numerous and so dangerous were the Loyalists that regulations must be adopted to control them [the Loyalists], or the whole [American] cause might be lost.”¹⁸ Formerly friendly neighbors now found themselves on opposing sides of a long conflict. Local and state safety associations and committees decided to weaken their adversaries. Such prudence helped keep Patriot enemies in check and enabled the Patriots to increase their weapons stocks.¹⁹ Patriots knew of the numerous “enemies to our cause” in their communities; so large was Loyalist

¹³Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Company, Inc., 1969), 2.

¹⁴According to Alexander Clarence Flick in *Loyalism in New York During the American Revolution*, the order of organizations ran as follows: district, county, and general committees on Tories were at the state and local levels and the provincial or convention congress was above them with all such committees answering to the Continental Congress. Committees of safety, sub-committees, and others were found at the local and/or state levels. Alexander Clarence Flick, *Loyalism in New York During the American Revolution*, (New York: Arno Press and the New York Times, 1969), 78-79.

¹⁵Brown, *The Good Americans*, 34. James H. Stark, *The Loyalists of Massachusetts and The Other Side of the American Revolution* (Massachusetts: Salem Press, 1910), 55.

¹⁶Flick, *Loyalism in New York During the American Revolution*, 62-63. Peter Force, *American Archives*, 4th Series, vol. 2, (Washington: United States Congress, 1837-1853), series, vol. 5, 1638, vol. 4, 1629.

¹⁷Flick, *Loyalism in New York During the American Revolution*, 58.

¹⁸*Ibid.*, 60.

¹⁹Force, *American Archives*, vol. 5, 1638.

opposition in some areas of New York, that “whole neighborhoods, whose loyalty was too pronounced, were thus disarmed.”²⁰

Whig committees were suspicious of travelers and people from other towns or states and made the newcomer(s) provide documentation “of his friendliness to the liberties of America,” or face court action.²¹ Within three months of initiation of checking the fealty of strangers, Congress went even further, and “declared that all colonists who adhered to or fought for Great Britain were guilty of treason and should be suitably punished by the colonial legislatures.”²² One New Jersey ordinance, dealing with the crimes of treason and counterfeiting, demanded “persons, who shall be found so wicked as to desire the destruction of good government, or to aid and assist the avowed enemies of the State, be punished with death.”²³ Those suspected of siding with England were penalized by “fining, imprisoning, banishing, releasing under bond, paroling, or disarming and confining them.”²⁴ For example, Patriot authorities disarmed Josiah Wheeler of Connecticut. Early in the war, Wheeler entered the British service in New York, where Sir William Howe appointed him a Lieutenant in the Prince of Wales Regiment. As a Loyalist soldier, Wheeler recruited other like-minded Tories and, as a result, was “thus advertised as an enemy to America.” Zealous Patriots in Wheeler’s hometown of Fairfield, Connecticut, ransacked and looted his home and seized his weapons in accordance with state

²⁰Ibid., iv, 1469, 1487. Also see Flick, *Loyalism in New York During the American Revolution*, 63. Wilbur Henry Siebert, *The Loyalists of Pennsylvania* (Boston: Gregg Press, 1972), 57-59. Claude Halstead Van Tyne, *The Loyalists in the American Revolution* (New York: Peter Smith, 1929), 125-126.

²¹Force, *American Archives*, vol. 4, 438. Local safety committees also forbid citizens from boarding British ships without committee permission. Siebert, *The Loyalists of Pennsylvania*, 58-59.

²²Brown, *The Good Americans*, 36.

²³*Minutes of the Provincial Congress and the Council of Safety of the State of New Jersey*, (Trenton: Naar, Day and Naar, 1879), 561-562. Van Tyne, *The Loyalists in the American Revolution*, 202-203.

²⁴Brown, *The Good Americans*, 36. Stark, *The Loyalists of Massachusetts and the Other Side of the American Revolution*, 54-56.

legislation and local actions.²⁵ Patriots in New York also confiscated Solomon Fowler's weapons due to his political affiliation with the English. Without a means to defend himself and his family, Fowler joined the British when they entered New York. In this capacity, Colonel James DeLancey appointed him Captain of the Westchester Refugees.²⁶

As the war dragged on, the Patriots escalated persecution of their enemies, going so far as to imprison or murder men, women, and children. Early in March of 1776, New York's committee of safety perceived Loyalist opposition to be so strong in certain counties, that they "advised that, in addition to disarming them [the Loyalists], their children should be taken as hostages."²⁷ Whigs, acting under direction of the Albany Committee, confiscated all of Loyalist Mary McAlpin's estate, and imprisoned McAlpin and her children for seven days in an unheated shack. Mrs. McAlpin aided the enemy, but her children committed no such deeds and were innocent.²⁸ Catherine Tweed and her children spent time in jail, too, although the children had not been charged with or convicted of any crime.²⁹ Rachel Noble and her family also experienced Whig abuse. W. Issac Noble supported the British and raised a company of men in New Jersey to fight for them. While away from home, Patriots planned to arrest Rachel Noble due to her husband's political affiliation. To avoid arrest, Noble,

fled by favor of a dark night with an infant of nine months at her breast on foot and unprotected and suffered everything which can be felt from terror, inclemency of weather, want of food and every conveniency by which her health was much impaired.

²⁵The Public Records of Great Britain, Series 1, *American Loyalists Claims, 1776-1831* (Exchequer and Audit Department, 1972), reels 1-3, 248-251. The full name of the regiment that Lieutenant Wheeler served in was the Prince of Wales's American Regiment.

²⁶*Ibid.*, reel 22, 95-98. Colonel De Lancey was commander of the West Chester Refugees in New York. Van Tyne, *The Loyalists in the American Revolution*, 204.

²⁷Flick, *Loyalism in New York During the American Revolution*, 91. *Collections of the New-York Historical Society*, (New York: Printed for the Society, 1868-1924), vol. 1, 235.

²⁸*American Loyalists Claims*, reels 43-47, 53-54. Paul H. Smith, *Loyalists and Redcoats: A Study in British Revolutionary Policy* (Chapel Hill: The University of North Carolina Press, 1964), 62-63.

²⁹*American Loyalists Claims*, reels 48-50, 224-226.

The three remaining Noble children were taken into custody and held for over a year.³⁰ Patriots of all social ranks abused their power during the war. Children, and often their mothers, had committed no crimes, other than to be associated with male Loyalists. Few young children posed a real and present danger to the Patriot cause. The only plausible reason, then, to take them captive was to create fear and terror in the hearts and minds of Loyalists. Such actions caused many men and women to seriously re-evaluate their political ideals, weighing loyalty to a cause with the safety and comfort of their children. The Patriots wanted to link the safety of a family and/or its children to the expected good behavior from the husbands and parents of their hostages. It was also designed to dissuade Loyalists from joining the British military.³¹ This behavior was reminiscent of English actions in Ireland and Scotland. Such violence and extreme actions made many Loyalists fear that America soon would be “little better than a government of devils.”³² It definitely contributed to the belief that Loyalists would not receive fair treatment after arrest. In Patriot courts and committees, Loyalists believed that,

No proofs were admitted, no evidence, no defense, no jury, no appeal; judgment was rendered on appeal only; the accused were condemned unseen and unheard, and finally...punished by the committee acting as the highest court on earth.³³

Continental and British soldiers, as well as civilian Whigs and Tories, administrated loyalty oaths to those they suspected of disaffection.³⁴ Perjury, or breaking one’s oath, “due to the belief in divine justice, was regarded as perhaps more heinous than it is today” and many

³⁰Ibid., reels 14-16, 160.

³¹In the southern campaigns, Captain Thomas Brown, a Loyalist from Georgia, often tried to threaten rebel families, knowing “...that nothing worried the men of the backcountry more than a threat to their homes.” Van Tyne also mentions the fact that “The refusal to join the [American] military was early regarded as evidence of Tory sympathies.” Van Tyne, *Loyalism in New York During the American Revolution*, 206. Edward J. Cashin, *The King’s Ranger: Thomas Brown and the American Revolution on the Southern Frontier* (Athens, Georgia: The University of Georgia Press, 1989), 77.

³²Brown, *The Good Americans*, 36.

³³Flick, *Loyalism in New York During the American Revolution*, 46.

³⁴Van Tyne, *The Loyalists in the American Revolution*, 129.

people regarded their pledge as almost sacred.³⁵ Although this was the norm, not all men and women took their wartime promises as seriously during the American Revolution. Many Loyalists and Whigs were forced, either through the threat of physical harm, imprisonment, or loss of property, to swear fealty to either the American Patriot cause or the king.³⁶ Such oaths allowed people to avoid severe consequences for their political stance while enemy forces occupied their town or village.³⁷ Failure to swear allegiance or sign the association's contract was a bold move, marking that man or woman as "an object of contempt and suspicion...Later...[it] was taken as the basis for summary punishment." Once a person was labeled as a Loyalist, nearby residents would single him or her out for abuse and harassment.³⁸ Mob action empowered the less-powerful or powerless people in a community and contributed to many Tories' fear of chaos in America under Patriot rule. It was a way for lower ranking white males to express their politics and assert power. As a result of their decision,

The Tory could not vote or hold office. He had no legal redress for his wrongs, and if he had, no Loyalist member of the bar could defend him; he was denied his vocation, and his liberty to speak or write his opinions; he could not travel or trade where he chose, and he must pray and fight for the cause he hated.³⁹

The only way a Loyalist could avoid such treatment was by subterfuge, by taking the oath, signing the contract, and acting like a Patriot. Many people did so, and "The weak and timid were silenced and made secret enemies of the deadliest type until the arrival of British troops gave them a chance to throw off their deceptive cloaks."⁴⁰ This was an especially

³⁵Brown, *The Good Americans*, 45.

³⁶Americans might be made to swear their oath to an association, committee of safety or some other rebel-dominated committee, mob, or military unit. Flick, *Loyalism in New York During the American Revolution*, 130, 140-144. Various state and local committees even made all male inhabitants, aged sixteen and up, sign General Association pledges. Those who refused were considered enemies. Force, *American Archives*, vol. 2., 606-607.

³⁷Brown, *The Good Americans*, 38. Van Tyne, *The Loyalists in the American Revolution*, 129-133.

³⁸Force, *American Archives*, vol. 2., 606-607. Flick, *Loyalism in New York During the American Revolution*, 40-48. Van Tyne, *The Loyalists in the American Revolution*, 135-136.

³⁹*Ibid.*, 210

⁴⁰Flick, *Loyalism in New York During the American Revolution*, 48.

dangerous game, due to the fact that the Americans could be harsh when tracking down Loyalist sympathizers. A good example of this was the experience of some Long Island Loyalists. The military, led by a Colonel Wood and acting on General Charles Lee's orders, seized Loyalists' arms and made them swear allegiance to the American cause: "These instructions were carried out with such severity as 'to convert whigs to Tories.'"⁴¹

Once the American Revolution began, many Highlanders in America became Loyalists, so much so that John Witherspoon, a Princeton native remarked that, "so many Scottish people were faithful to the King that the word *Scotch* was becoming a term of reproach in America."⁴² Not all Highlanders became Tories, "The loyalty of the Highlanders to the King was by no means an immediate, automatic, or unanimous response," but those who became Loyalists did so for several reasons, many of them economic.⁴³ Highlanders made their decisions in many of the same ways that other colonists did when the war came. Some became Loyalists out of fear of Whig abuse, others in North Carolina were sympathetic to Governor Josiah Martin because of his support during the Regulator movement.⁴⁴ Others had received a headright of land from the British for immigrating to North Carolina.⁴⁵

The most compelling reason for the Scots' allegiance was history itself. The Scots remembered the Duke of Cumberland at Culloden Moor in 1746. These American Highlanders did not want to again be on the losing side of battle with the Hanoverians, and face "the brutalities, atrocities, and destruction inflicted by the British Army." So, many Highland Scots

⁴¹Ibid., 91. *Collections of the New-York Historical Society*, vol. 1, 296.

⁴²Leonard J. Trinterud, *The Forming of an American Tradition, A Re-Examination of Colonial Presbyterianism* (Philadelphia: Westminster Press, 1949), 249. Meyer, *The Highland Scots of North Carolina*, 147, 151.

⁴³Meyer, *The Highland Scots of North Carolina*, 142.

⁴⁴The Regulator Movement in North Carolina, 1768-1771, was a farmer-led revolt against government practices, taxes, and other abuses. It was meant to affect reform or change. It was put down by Governor William Tryon by 1771. Marjoleine Kars, *Breaking Loose Together: The Regulator Rebellion in Pre-Revolutionary North Carolina* (North Carolina: The University of North Carolina Press, 2002), Introduction, 2.

did side with England. They believed that the British would easily defeat the fledgling Continental Army and they would be on the winning side. Other Highlanders sided with the Americans, for fear of British military abuse, of losing their land, or imprisonment by safety committees. Regardless of which side Highlanders chose, their oaths were as binding as any other colonists at the time, and,

Just as in our own day, not all who took oaths kept them. Probably the best example is Brigadier General McDonald. On the way to Cross Creek in 1775, he was detained in New Bern by the Rebels. They let him go when he took ‘a solemn oath’ that he had neither military nor subversive intentions but was going to Cumberland County for social reasons. That both sides continued to use oaths witnesses to the belief many people had in their efficacy.⁴⁶

Many did what was necessary to survive.

Regardless of how effective oaths were, both sides continued to rely upon them, perhaps because they had no other method of measuring loyalty and some men and women took them with every intention of honoring them. For example, Patriots, in an attempt to garner more support, terrorized Mrs. Thomas of West Florida, forcing her to take their oath twice. She did, perhaps hoping to avoid harm and vandalism of her home, but such action did not prevent Patriots from destroying her property.⁴⁷ Typically, once a person swore allegiance, he or she was not to be molested but this was not always the case.⁴⁸ Thomas Brown of Georgia had a violent encounter with Patriots when he refused to change his allegiance to their cause. Brown, or “Burntfoot Brown,” was abused so severely that he suffered from a ruptured cranium, second or third degree burns, and headaches which plagued him until his death.⁴⁹ Edward Dongal, a

⁴⁵Meyer, *The Highland Scots of North Carolina*, 135-140.

⁴⁶Ibid., 14- 15, 19, 150-152, 154. *Town and Country Magazine* (London, volume VIII, June, 1776), 334.

⁴⁷*American Loyalists Claims*, reels 99-100, 61.

⁴⁸Flick, *Loyalism in New York During the American Revolution*, 117-125.

⁴⁹Cashin, *The King’s Ranger*, 28-29. Walter Clark, editor, *The State Records of North Carolina*, (Raleigh, P. M. Hale, 1886-1907), reel 116, cr 45, Vol. 1-4, 182.

practicing attorney, chose loyalty to England once the war broke out. In August of 1776, a mob of Whigs invaded Dongal's New Jersey home at night and removed him from bed. General Henry Beekman Livingston, of the Continental Army, questioned Dongal regarding his political stance. Dongal's refusal to swear allegiance to the Patriot cause or join the Association resulted in his being confined to house arrest on his in-law's farm. Livingston forced him to supply bond for his good behavior during the war.⁵⁰ Once British forces entered the area, Dongal joined them and died in their service. Patriots' treatment of Loyalist men and women was inconsistent. Sometimes Whigs treated Tory women in exactly the same manner as Tory men, but at other times, women were physically harmed when a man would be imprisoned for a similar offense.

Barnardus Lagrange was also a Loyalist. He actively worked to persuade neighbors not to support the insurrection against the king and parliament, ultimately subjecting him to Whig scrutiny. A Patriot horde paraded Lagrange throughout New Brunswick, New Jersey in the back of a cart, invaded and looted his home, and impugned his reputation by proclaiming him an "Enemy and Traitor to his Country."⁵¹ To avoid further Patriot abuse, Lagrange secreted himself until he could join the British Army. While in their service, General Skinner appointed Lagrange to "Administer the Oaths of Allegiance." It was then Lagrange's job to safeguard local Loyalists and administer oaths of loyalty.⁵² It is not known if he employed the same types of tactics Patriots used against him, but it was a common practice and often generated professions of loyalty, if only of temporary worth or value.

Local Patriots in Georgia attempted to make David Russell swear allegiance to their cause in 1776. Russell, a Georgia native, fled the state rather than falsely swear to uphold the

⁵⁰*American Loyalist Claims*, reel 13, 262-266.

⁵¹"Inimical to American Liberty" was another popular epitaph used against Loyalists. Janice Potter-Mac-Kinnon, *While the Women Only Wept: Loyalist Refugee Women in Eastern Ontario*, (Montreal: McGill-Queen's University Press, 1993), 34-35.

newly established government of the Americans. Russell's choice to flee and join Loyalist Colonel Thomas Brown's Rangers in Florida, rather than remain in his home state and face the wrath and hostility of Patriots, indicated that this man took his oath seriously. It could also indicate the level of fear that Whigs instilled in their enemies.⁵³ Rather than protect his property and his family's safety, Russell maintained his political integrity and sought action rather than perjury. Patriots also tried to make William Blain, a New Jersey planter, swear loyalty to them and fight in their behalf. Like Russell, Lagrange, and others, Blain refused. He fled the area and joined the British army.⁵⁴

While these and other men were able to resist Patriot intimidation, everyone was not as strong. Many men and women did not have the courage to defy Whig threats and mob violence. Such men and women acquiesced and took the oath to support the American patriotic cause. Many changed their allegiance once the British army was in control of the area. Although Patriots committed atrocities against Loyalists, the Continental Congress technically did not support such abuse or the use of mob violence to terrorize civilian or political enemies. To make their government appear as legitimate and valid as possible, the various congresses and committees tried individuals, allowing them to defend themselves, but without benefit of attorneys. Early examples of this can be found in the cases of Guy Johnson and Angus McDonald, of New York.⁵⁵ The Provincial Congress adopted a report that defined the various punishable crimes Loyalists might commit during the war. It also outlined the punishments to be meted out for various crimes, such as aiding the enemy, providing supplies, serving the British as an officer or soldier, spying, and the like. Punishments sanctioned by a New York resolution

⁵²*American Loyalists Claims*, reel 13, 302.

⁵³*Ibid.*, reels 4-8, 68-71.

⁵⁴*Ibid.*, reel 13, 67. Potter-MacKinnon, *While the Women Only Wept*, 34-36.

dated September 21, 1776 declared that “transportation” was to be the worst punishment inflicted by the local committees, reserving administration of the death penalty in cases of treason to the Provincial Congress. Generally, committees and congresses punished Loyalists in one of several ways, “imprisonment with hard labor, confinement in irons, and enforced labor on the barracks,” banishment, swearing fealty to the American cause, and being sent to the British lines in southern New York.⁵⁶ The state did not sanction the more extreme punishments that some Patriots inflicted upon Loyalists.

Violence was a significant part of the war and drove many Loyalists out of America. Anyone in America could be in the middle of a battle or threatened by the British or the Whigs during the war. Those men and women who actively participated in the fighting by aiding, supplying, spying, or performing other services for the enemy were cruelly mistreated.⁵⁷ Disagreements and discontent led to violence. One Loyalist targeted for abuse was Peter Guire of Connecticut who joined a British regiment in 1776 in occupied New York. The local Fairfield safety committee declared Peter Guire “an Enemy to his Country,” in the town’s newspapers.⁵⁸ After Guire left his farm, Patriots seized his portable belongings, later confiscating his home and remaining possessions. When Guire returned to the state to help his family seek shelter behind British lines, “he was Seized by a Mob at Connecticut, and branded with an Hot Iron on the forehead with the Letters G.B.”⁵⁹

⁵⁵Flick, *Loyalism in New York During the American Revolution*, 58-59. Force, *American Archives*, vol. 3, 89, 913-914. *Papers of the Continental Congress, 1774-1789*, (National Archives), Item 72, 11.

⁵⁶Flick, *Loyalism in New York During the American Revolution*, 60-69, 80-82, 121-122. *Papers of the Continental Congress*, reel 186, Item 169, Vol. 2, 147. Force, *American Archives*, vol. 3, 89-90.

⁵⁷Brown, *The Good Americans*, 147-148.

⁵⁸The Public Records of Great Britain, Series 1, *American Loyalists Claims, 1776-1831* (Exchequer and Audit Department, 1972), reels 1-3, 203. The committee’s full name was The Committee for the Town of Fairfield.

⁵⁹*Ibid.*, Reel 1-3, 202-204.

Guire was actually fortunate he was only branded. Many other Loyalists found themselves at the wrong end of a noose, hanging from a Liberty Tree. In addition to branding and hanging, Patriot hordes often subjected defenseless Tories to the cruel and painful punishment of rail-riding. Patriots also denounced the man as a traitor and subjected him to other verbal and physical abuse, roughly parading him throughout the town.⁶⁰

Scalping was another form of violence noted throughout the war. In a report to General Thomas Gage, British field commander Lieutenant Colonel F. Smith noted that the Americans, after the encounter at Lexington and Concord in April of 1775, killed several British soldiers and “they scalped and otherwise ill-treated one or two of the men who were either killed or severely wounded.”⁶¹ Loyalist Peter Oliver recorded his recollection that

Many were wounded on each side. Two of the British Troops, at fewest, were scalped, and one of them before he was dead. Let Patriots roar as loud as they please, about the Barbarity of an Indian scalping Knife; but let them know, that an Indian Savage strikes the deadly Blow before he takes off the Scalp. It was reserved for a *New England* Savage, only, to take it off while his Brother was alive.⁶²

Patriots also used intimidation. In New York, while under Whig rule, Patriots apprised printers that they would face “death and destruction, ruin and perdition” if they printed objectionable material, which supported the British cause.⁶³ Patriots also tarred and feathered their enemies, a potentially lethal practice, depending upon the heat of tar. In a letter from Charleston Loyalist Ann Hulton to her friend Mrs. Lightbody, Hulton described the savageness of this act:

He [Malcolm] was stript stark naked, [on] one of the severest cold nights this winter, his body covered all over with tar, then with feathers, his arm dislocated

⁶⁰Alexander Clarence Flick, *Mass Violence in American: Loyalism In New York During The American Revolution* (New York: Arno Press and the New York Times, 1969), 73-74.

⁶¹*Primis: Documents for U.S. History, Volume I—To 1877* (Chapel Hill: McGraw-Hill, 1997), 84.

⁶²Douglass Adair and John A. Schutz, editors, *Peter Oliver's Origin and Progress of the American Rebellion: A Tory View* (California: Stanford University Press, 1961), 120.

⁶³Flick, *Mass Violence in America*, 77.

in tearing off his cloaths. He was dragged in a cart with thousands attending, some beating him with clubs and knocking him out of the cart, then in again. They gave him several severe whippings, at different parts of the town. This spectacle of horror and sportive cruelty was exhibited for about five hours....[When he refused to denounce King George III]...They brought him to the gallows and put a rope about his neck, saying they would hang him....The doctors say that it is impossible this poor creature can live. They say his flesh comes off his back in stakes.⁶⁴

Unfortunately, this was the second time that Malcolm, who survived the ordeal, was tormented. He was vulnerable due to his position as a Custom's House Official.⁶⁵

The British also committed atrocities during the American war for independence. During the initial skirmishes at Lexington and Concord, British soldiers attacked American militiamen and civilians in their homes. A report claimed that General Gage's men treated travelers harshly on the eve of battle, and as they departed in the aftermath,

a great number of the houses on the road were plundered and rendered unfit for use, several were burnt, women in child-bed were driven by the soldiery naked into the streets, old men peaceably in their houses were shot dead, and such scenes exhibited as would disgrace the annals of the most uncivilized nation.⁶⁶

An account from civilians in Philadelphia, Pennsylvania claimed that the British soldiers marched through their town and "to the disgrace of a Civilized nation[,] ravish[ed] the fair sex from the age of ten to [the age of] seventy."⁶⁷

Both sides viewed and treated men, as well as women, as enemies. Women were not typically subjected to tarring and feathering, but they were subject to arrest, forced to swear

⁶⁴Hulton, *Letters from a Loyalist Lady*, 70-72.

⁶⁵This account is found in many sources, two of which are Malcolm's own claim in *American Loyalist Claims*, reel 105, 141, filed in England, in Adair and Schutz's *Origin and Progress of the Rebellion*, 98, and in the *Boston Gazette*, January 31, 1774. Henry Hulton, a Boston Commissioner of Customs also feared for the safety of himself and family. They fled to Halifax in 1776 to avoid the same fate as John Malcom. Catherine S. Crary, editor, "Audacious Proceedings: Henry Hulton says 'The Parade They Make Here of Resistance is all a Flask Without Bottom,'" *The Price of Loyalty: Tory Writings From The Revolutionary Era* (New York: McGraw-Hill Book Company, 1973), 28.

⁶⁶*Primis*, 84-85.

oaths of allegiance, or imprisoned.⁶⁸ They endured the confiscation of their property, banishment, and physical punishment which might include whipping, time in the stocks, branding, and rape. According to Mary Beth Norton, Tory women (and one could add Whig women as well) believed that their gender and societal norms would insulate them from “disrespectful Indignities” of war. She adds that

Most of them soon learned otherwise. Rebel men may have paid lip service to the ideal that women and children should be treated as noncombatants, but in practice they consigned female loyalists to much the same fate as their male relatives.⁶⁹

Loyalists’ claims, letters, and diary accounts bears this out. Patriots, as well as British soldiers, were guilty of violence against female enemies. Rape was certainly a brutal reality of war and was solely directed toward women. According to Linda Kerber in *Women of the Republic: Intellect and Ideology in Revolutionary America*, “Documented cases of rape are relatively rare, but those we have are vicious in the extreme.”⁷⁰ It is difficult to discover the number of cases of rape during war time, but author Elizabeth Evans states in *Weathering the Storm: Women of the American Revolution*, that rape was more frequent than Kerber states.

Newspaper accounts and Congressional reports during the war make it easy to assume that acts of rape and murder against women were committed only by the British and Hessians. However, most newspapers sided with Patriots and members of the Continental Congress were biased. Rape attacks by American soldiers or militiamen were hushed either before news of them reached the press or by members of the press themselves.⁷¹

⁶⁷Linda Grant DePauw, *Founding Mothers: Women in America in the Revolutionary Era* (Boston: Houghton Mifflin Company, 1975), 126. Paul H. Smith, *Loyalists and Redcoats: A Study in British Revolutionary Policy* (Chapel Hill: The University of North Carolina Press, 1964), 42-43.

⁶⁸Crary, “Philip Skene Emphasized the Cruelty to the Women of His Family,” *The Price of Loyalty*, 37.

⁶⁹Mary Beth Norton, “Eighteenth-Century American Women in Peace and War: The Case of the Loyalists,” in *William and Mary Quarterly*, 3d ser., 33 (1976): 398.

⁷⁰Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (New York: W.W. Norton and Company, 1980), 46.

⁷¹Elizabeth Evans, *Weathering the Storm: Women of the American Revolution*, (New York: Charles Scribner’s Sons, 1975), 24-25.

Men on both sides of the conflict raped women. Evans contends that British soldiers, who were rarely punished, committed most of the assaults. Even when the inhabitants of British occupied areas insisted upon an inquiry, it was merely a "...most entertaining courtmartial."⁷² While looking at the *Papers of the Continental Congress*, many women and girls detail the brutal rapes they endured by British soldiers. In sworn statements from 1777, British soldiers repeatedly raped seven New Jersey women and girls. Three British soldiers raped another woman, Mary Campbell, when she was five months pregnant. British soldiers raped three girls, Sarah Cain aged eighteen years old, Elisabeth Cain aged fifteen years old, and Abigail Palmer aged thirteen, in a back room of the home they were in, then took them away to their camp, where other soldiers repeatedly raped them for the next three days. British soldiers also raped Rebekkah Christopher twice and attempted to rape her ten-year-old daughter.⁷³ These accounts demonstrate that age was not a bar to the abuse. Sally Smith Booth in *The Women of '76* notes the same account from Colonel Lord Francis Rawdon, leader of an Irish Regiment and Adjutant to General Clinton and discloses accounts of the British raping Patriot women in New Jersey and Pennsylvania. Booth also notes that while stationed in Manhattan, "rapes committed upon local women increased so drastically that a major conflict developed between the population and occupying troops."⁷⁴ The problem was eventually resolved when the British government sent thousands of English prostitutes to New York.⁷⁵ Regardless of the number of prostitutes in New York, British troops continued to rape America women.

With society in chaos, civil authorities were often unable to assert their influence and some women were reluctant to report the very personal, heinous crime of rape for fear of public

⁷²Ibid., 24-27.

⁷³Papers of the Continental Congress, 1774-1789 (National Archives), Item 53: 31, Roll 66, 29-39.

⁷⁴Sally Smith Booth, *The Women of '76* (Hastings House Publishers: New York, 1973), 187-188.

⁷⁵Ibid., 187.

ensor and reprisals. An American committee appointed by the Continental Congress in April of 1777 noted that after rape, the victims, “though perfectly innocent, look upon it as a kind of reproach to have the facts related and their names known.”⁷⁶ When reading the claims, diaries, newspaper accounts, and other sources, it is often difficult to discern the true meaning of words and terminology of the day: women often described their treatment in imprecise ways, obscuring the events and making historians’ jobs more difficult. According to Evans, the most specific and legal terminology for rape in the eighteenth century was “rapuit or ravished” but contemporaries of the era used other expressions for the act. Mary Campbell’s mother implored the soldiers “not to use her Daughter in Such a Base and Cruel Manner, but to no purpose.” Mrs. Campbell admitted that “finally Three of Said Soldiers Successively had Knowledge of the Body of this Deponent.” Mary Phillips, a widow, testified that “Said Soldier forced her to go to the Barn and then and there had Carnal Knowledge of her Body.”⁷⁷

Patriots threatened Susannah Marshall, a recent immigrant who came to the colonies in 1774, and resided in Baltimore. When her husband, William, refused to join the Whigs he was driven out of the country. Susannah Marshall remained in Maryland, but during the war, the Americans forced her to board soldiers in her home. Fearing harm, she did so, but eventually refused to continue the practice. At this point, Patriots taunted her with the possibility that “she was...to be tarred and feathered,” causing her to flee the area.⁷⁸

Mary McAlpin describes her treatment in more vivid language. Her husband, Major McAlpin joined the British in 1777 and was known in New York as a zealous Loyalist. After her husband’s death, Mrs. McAlpin supported Loyalists in the area by supplying them with necessary items to maintain their cause. Patriots pilfered her plantation and terrorized her

⁷⁶Evans, *Weathering the Storm*, 26.

family, “she and the children were forced by violence and menace of instant death by blackened faced rebels” while they looted and destroyed her home.⁷⁹ “Violence” and “menace” are strong words which convey many different ideas and/or meanings. If the rebels were willing to kill Mrs. McAlpin and her children for their non-compliance, rape was also a possibility. Such abusive treatment caused the family to flee.

Abusive Patriot treatment in Pennsylvania forced Elizabeth Galloway and her father, Joseph, to seek refuge in England.⁸⁰ Galloway stated in her claim that she suffered “ill treatment” which is not as illuminating as one might hope. Ill-treatment might have been rude language, caustic comments, or physical attacks. Unfortunately, her claim is brief and not especially helpful in this regard, but Galloway’s father had been an influential man in America, and held some political influence in England during his exile there. The Patriots did not limit their abuse to any specific class or group in the colonies and terrorized all of their enemies.

Both Loyalists and Patriots employed inflammatory language and propaganda in their description of enemy abuse and attacks to gain sympathy for their cause. Loyalist claimants, both male and female, followed the same practice to gain sympathy from the Claims Commission, hoping to receive a larger stipend from the government. The abuse people suffered was not limited to verbal snipping, it often went much further to include physical acts.

Margaret Francis Hill was a housekeeper to Lieutenant General Sir Guy Johnson of New York. Patriots targeted Hill, hoping to enlist her aid to assassinate Sir Guy and his brother, Sir John.⁸¹ Her first refusal elicited severe abuse. Patriots

⁷⁷Papers Of The Continental Congress, Item 53: 31, Roll 66, 33, 37. Evans, *Weathering the Storm*, 24-27.

⁷⁸*American Loyalist Claims*, reels 4-8, 261.

⁷⁹*Ibid.*, reels 43-47, 54, 51-62.

⁸⁰*Ibid.*, reels 99-100, 79.

⁸¹The Johnson brothers were in charge of Indian Affairs in New York. Rebels blamed them for recruiting and inciting Native Americans, who were greatly feared, against the Americans. *Ibid.*, reel 24, 70.

treated her with every degree of Barbarity, hardships, and indignity, [and] stripped [her] naked of all her cloathes [and] confined [her] to a cold room in Bedford, New England and continued [to keep her] there for the space of three months in the depth of winter without Fire or Candle light[,] chiefly owing to the unalterable attachment of your memorialist to this[,] her native country and her Friends in America.⁸²

The second time Patriots captured Hill, their abuse was harsher. After she was released, she fled to Canada, but her ship was apprehended by Patriots who stole her remaining belongings.⁸³

Rape, whether by Patriots, Loyalists, Continental or British soldiers, effectively instilled terror. Since rape is a crime predominantly committed by men upon women, its use during wartime is significant. Women, for the most part, did not usually participate in warfare but they could be useful to either side and thus the enemy targeted them for harm. Such targeting was an abuse of power and took advantage of the turbulent times and absence of male protectors. The aim of the abuser was to punish women who stepped out of their role and cause them to remain within society's proscribed place of home and hearth.

Even if rape was an infrequent crime, "mistreatment and indignity, the more frightening because the threat of rape was always present, were possible wherever armies roamed."⁸⁴ During wartime, men, away at war, often left women without protection. Women could and did defend themselves, but were not always successful. Such was the case of female children who were extremely susceptible to this crime. British soldiers attempted or actually raped several teenage girls, Abigail Palmer, Elizabeth Cain, Rebekah Christopher's daughter, and two of Flora MacDonald's daughters.⁸⁵ Such acts of terror struck horror into both Patriotic and Loyalist men and women. It undermined Patriot militias and the Continental Army. Fathers, husbands,

⁸²Ibid., reel 24, 70.

⁸³Ibid., reel 24, 72.

⁸⁴Kerber, *Women in the Republic*, 46.

⁸⁵The fact that MacDonald was a Loyalist illustrated that British soldiers often treated Patriot and Loyalist civilians the same, weakening Loyalist support for the British cause. Papers of the Continental Congress, 1774-1789, 30-39.

brothers and sons might think that their duty to their mothers, wives, sisters, and daughters, was a more immediate concern than their military service. Patriot and Loyalist men might not have been willing to leave their female loved ones' personal safety and well being to chance.

The tumult of the time caused men on both political sides to abuse their authority. Lower ranking people formed mobs, targeting many Loyalists who “were not infrequently punished on insufficient and questionable testimony.” “Mere suspicion was sufficient to cause seizure, and this meant[,] at least[,] imprisonment.” In spite of Whig attempts to give Tories fair trials and good treatment, abuses occurred. Often the congresses and committees were unable to control or stop mob violence. Mobs, frequently composed of the “ignorant, excitable and combustible” elements of society, frequently had their own political agendas or vendettas, and, although their terrorism was mildly rebuked by the Provincial Congress, “still the mob broke out again and again against particularly obnoxious loyalists.”⁸⁶ Mobs consisted of large numbers who acted with a “group” mentality, often feeding off each other’s anger toward their enemies. They were effective in frightening Loyalists and enjoyed their ability to bully and beat their defenseless foes. Such men, who perhaps prior to the war were disenfranchised, unable to purchase property, or hold office, found real social power by participating in mob violence.⁸⁷

Patriots threatened seventy-one year old Mrs. Abigail Coxe and her adult son, Daniel. Daniel Coxe was a Loyalist in New Jersey who cared for his aged mother. Patriots targeted Coxe, causing him to flee the area to avoid incarceration.⁸⁸ After Coxe left New Jersey and joined the British military, Whigs seized and sold his property for the benefit of the state. Coxe

⁸⁶Flick, *Loyalism in New York During the American Revolution*, 82, 84, 71-72.

⁸⁷Van Tyne, *The Loyalists in the American Revolution*, 210-220.

⁸⁸*American Loyalists Claims*, reel 13, 252-254.

feared that the Whigs would target his family as a result of his politics, so they all left for England in 1778.⁸⁹

Whigs terrorized Mrs. Mary Poynton, wife of Major Brereton Poynton, an English military officer when “she refused to write to Major Poynton to seduce him into the American Service” despite the Americans promise to make him a Brigadier General in the Continental Army.⁹⁰ The Poyntons’ land and possessions were “seised[,] confiscated[,] and sold pursuant to an act of assembly of the state of New Jersey.”⁹¹

New Jersey native, John Brown, worked for both the Americans and British. He was a Loyalist, but was “obliged to serve the Americans as Commissary. The family was in such a situation he could not avoid it,” without subjecting his wife and children to more Whig threats and violence.⁹² Brown joined the British army when it entered New Brunswick, New Jersey late in 1776, acting as guide for them until they evacuated the area. At that time, he moved his family to New York for safety. Unfortunately, the Patriots soon captured him and returned him to New Jersey. Whigs seized and sold his property and carried away most of his household items. In 1778, Patriots exchanged prisoners with the British, freeing Brown, who soon died of illness.⁹³

Patriots treated Mary Barnes, Captain Ibbetson Hamer, and Shore Stevenson in a similar fashion. All three were Loyalists, and Patriots confiscated their property in accordance with state laws. Patriots seized all of Barnes’ belongings as well as her home due to her political

⁸⁹Ibid., reel 13, 252-254. “Loyalists... were subjected to more brutal abuse than ordinary prisoners of war because they were regarded as criminals—as a despicable fifth column in the rebel midst.” Catherine S. Crary, *The Price of Loyalty: Tory Writings From the Revolutionary Era* (New York: McGraw-Hill Book Company, 1973), 201.

⁹⁰*American Loyalists Claims*, reel 13, 308-311. For other examples of violence against Tories and their property, see Van Tyne, *The Loyalists in the American Revolution*, 45-49.

⁹¹*American Loyalists Claims*, reel 13, 311-312.

⁹²Ibid., reel 13, 116.

alliance.⁹⁴ Captain Hamer served in the British service for over two decades before the war began in America. During his service in Canada, the Patriots⁹⁵ took him prisoner and incarcerated him for over a year. He lost his property as a result of “his being an Officer in the British Service and from which line of duty and loyalty neither threats nor bribes could induce him to sever.”⁹⁶ Shore Stevenson suffered a similar fate. A regiment of Patriot soldiers rounded up Stevenson along with other “Friends of Government.” Whigs imprisoned him in the Frederick Town Gaol in Maryland until he escaped and enlisted in the British military. The state of New Jersey, where Stevenson lived, declared him a traitor and seized his land and estate. He eventually fled, fearing Patriot abuse.⁹⁷

The Whigs’ poor treatment of Sylvanus Waterbury of Fairfield County, Connecticut caused him irreparable harm. Waterbury was a loyal supporter of England when the war began. In 1777, he fled the state and joined the English in New York, serving as a pilot.⁹⁸ In 1783, as the British evacuated New York, Waterbury remained behind, weakened by illness. Whigs captured him, imprisoning him for tax violations and his political affiliation. While “jailed in the severest season,” Waterbury suffered two serious strokes. As a result of Patriot incarceration in unhealthy conditions, “now [he] is without the use of his limbs or speech.” Waterbury lost his home when Whigs confiscated his estate, and he spent the remainder of his life exiled in Nova

⁹³Ibid., reel 13, 113. Conditions in prison facilities were terrible and “insufficient and overcrowded facilities inevitably led to rampant disease and illness. Crary, *The Price of Loyalty*, 201-205.

⁹⁴*American Loyalist Claims*, reel 14, 266. Massachusetts was known to possess some of the most horrific jails in the country, as attested to by William Burtis, James Moody, and Elyah and John Williams in their accounts of their time in Boston jails. “William Burtis Describes the Ordeal,” “Moody’s Description of the West Point Prison,” and “Elijah and John Williams of Deerfield Cast Their Lot with the King.” Crary, *The Price of Loyalty*, 208-215.

⁹⁵ The Patriots fought for territory in Canada as well as in the territory encompassed by the original thirteen colonies during the American Revolution.

⁹⁶*American Loyalists Claims*, reel 14, 289.

⁹⁷Ibid., reel 15, 298-299.

⁹⁸Ibid., reels 1-3, 278.

Scotia, paralyzed and virtually penniless.⁹⁹ Many Tories exiled in Nova Scotia found the country cold, barren, and very different from their homes in America. This was often the least favored place to relocate.

Patriots, who caught women in the act of spying, aiding the enemy, or counterfeiting, punished them severely, to curtail such activities. Mrs. Charles Slocum of Rhode Island “tried to use the power of the press to attack the Patriot cause.” She counterfeited currency during the war, harmful to the Whig cause and the economy. When Patriots captured her, Mrs. Slocum “was pilloried, branded on both cheeks, and had her ears cut off for passing counterfeit Continental Currency.”¹⁰⁰ In New York, Lorenda Holmes spied for the British and also acted as a courier. The first time Patriots caught “the Damned Tory...penny Post,” they did not harm her physically. The Patriots ordered Holmes “to strip off her Cloaths to examine if any Letters was concealed[, then] dragging her to the Drawing Room Window and exposing her to many Thousands of People Naked but [she] received no wounds or bruises from them[,] only shame and horror of the Mind.”¹⁰¹ Afterward, the Patriots subjected her to house arrest, harassed her, and watched her movements, to no avail. Holmes was not deterred and continued to work for the British, transporting letters and information for them. She also provided necessary aid to British sympathizers and facilitated their joining the British. Patriots seized Holmes again, this time treating her harshly .

Captain...Philip Pell..ordered...[Holmes] to pull off her Shoes...[and he directed another Patriot to] take a Shovel of Wood Coals from the fire and by mere force held...[her] right foot upon the Coals until he [the Patriot] had burnt it in a most

⁹⁹Ibid., reels 1-3, 278. Waterbury’s wife Sarah filed a petition for monetary compensation for her husband’s service and losses during the war. Sylvanus Waterbury was in such poor health that he was unable to do such action on his own.

¹⁰⁰Linda Grant DePauw, *Founding Mothers: Women of America in the Revolutionary Era* (Boston: Houghton Mifflin Company, 1975), 137.

¹⁰¹*American Loyalists Claims*, reel 30, 342.

shocking manner and left...[Holmes,] saying that he would learn her to carry off Loyalists to the British Army.¹⁰²

Patriots arrested Elizabeth Gray for treason when they caught her passing information to General Burgoyne. A court convicted and sentenced her to imprisonment “in a Dismal Dungeon” for nearly a year.¹⁰³ Such a sentence was in line with resolutions and precedents set during the war, but physical cruelty, branding, torture, and similar abuses were not. Violence directed against the civilian enemy symbolized an abuse of power and the “intense hatred and bigotry of the times.”¹⁰⁴

During the many years of war in America, neighbor attacked neighbor, often taking advantage of the tumultuous atmosphere of mob activity and lawlessness. Women “were among the perpetrators as well as the victims of wartime violence.” Tory as well as Whig women were guilty of stealing from political foes, with some being even bolder for they “talk[ed]...of shedding blood and destroying” their enemies.¹⁰⁵ Men and women were swept up by the times and committed many hostile acts. For example, W. Issac Noble suffered at the hands of the enemy while acting as a guide for the British. During one encounter, Noble “was attacked by a skulking Party of Rebels near the camp at Aquahanunk and left by them as dead having received a violent contusion on the head and the thrust of a bayonet in the Eye which was thereby totally lost.”¹⁰⁶

Whigs treated John Hamilton of New York harshly. They correctly suspected him of aiding the British by recruiting Loyalist soldiers and “barbarously wounded him and searched his house,” removing most of his personal papers and effects. He was then “imprisoned...in a dungeon,” spending more than one-hundred days there as his health deteriorated. Patriots tried

¹⁰²Ibid., reel 30, 345.

¹⁰³DePauw, *Founding Mothers*, 138.

¹⁰⁴Flick, *Loyalism in New York During the American Revolution*, 82.

¹⁰⁵Cynthia A. Kierner, *Southern Women in Revolution, 1776-1800: Personal and Political Narratives* (University of South Carolina Press: South Carolina, 1998), 94-95.

Hamilton as a traitor, but he was acquitted.¹⁰⁷ This account lends credence to the Patriots' claim that they gave Loyalists fair trials. As the war continued, Loyalists endured more harassment. Sarah Fowler suffered abuse because of her husband's service. Solomon Fowler of New York aided the British, fighting for the Westchester Refugees as a Captain. Captain Fowler died during battle. With his passing, "Sarah Fowler hoped...the rebel prosecution of her family would cease." It did not, and Patriots took legal action and confiscated her property, leaving Mrs. Fowler with little to support herself and her children.¹⁰⁸

Women also participated in mob activities traditionally associated with men, to demonstrate their opposition to other women in the community who violated accepted social norms.¹⁰⁹ A "female mob" of Whigs attacked a Loyalist woman to show their displeasure with her support of the British. The woman had the audacity, and poor foresight, to name her newborn son "Thomas Gage." Another mob of women in Boston tarred and feathered a woman and her daughter. The female mob punished them because the woman's husband and girl's father enlisted in the British service.¹¹⁰ In New York, September, 1777, town officials arrested several Loyalists women and threw them in jail. The court indicted the women for "robbing several houses and putting fear into families." These women had disguised themselves as Native Americans and terrorized their neighbors, many of whom always feared military invasion, either from the Patriots or the British.¹¹¹ Such treatment, at the hands of female rabble, was not especially commonplace but was effective in demonstrating the frustration and hostility many held for the enemy, regardless of his or her gender.

¹⁰⁶*American Loyalists Claims*, reels 14-16, 160.

¹⁰⁷*Ibid.*, reels 17-20, 21.

¹⁰⁸*Ibid.*, reel 23, 95.

¹⁰⁹For other acts usually not associated with women, see Potter-MacKinnon, *While the Women Only Wept*, 44-49.

¹¹⁰DePauw, *Founding Mothers*, 177-178.

¹¹¹*Ibid.*, 194.

The abuse Hamilton, Fowler, and others suffered was typical and they, like other Loyalists at the time, had no legal recourse. The only hope Loyalists had was to try to avoid inciting Whig hostilities in their home towns. All of the Loyalists mentioned, who faced Patriot abuse, were of the middling or lower ranks of society. They were not wealthy. Many were women with young children who could not adequately protect themselves from former friends and neighbors who wanted to take advantage of their political ideology and minority status to acquire some cheap land, new furniture, clothing, and other goods. Another explanation of the violence was that the dominant group simply used its power to terrorize a minority who did not have much protection under the law. Often such treatment resulted in either the Loyalists leaving the state or country or risking a jail sentence. Patriot violence rarely changed the political choice of Loyalists; it only entrenched their beliefs that if the Americans won this war, the people would be subjected to the whims and uncertainty of bullies and tyrants.

Although Congress and the various state and local committees did not approve of the harsh treatment Loyalists received, neither did they work to end it. Alexander Flick, in *Loyalism in New York During the American Revolution*, notes, “In December, 1776, the Provincial Congress ordered the committee of public safety to secure all the pitch and tar ‘necessary for the public use and public safety,’ “ offering Loyalists little peace of mind.¹¹² Typical punishments included confiscation of real and personal estates, arrest, trial, imprisonment, deportation or exile, bond, and taxes or fines. Many prominent Patriots at the time, such as George Washington, John Jay, John Hancock, Charles Lee, and others advocated harsher punishment for Loyalists and many Patriots believed that Loyalists were a “set of wretches,” “shameless apostates,” “a puny tribe of voluntary slaves,” and the “most obnoxious animals,” who “should

¹¹²Flick, *Loyalism in New York During the American Revolution*, 75.

be hunted out and destroyed for self-preservation.”¹¹³ The newspapers of the day also contained reports of Whig-imposed punishments for Tories and those considered an “enemy to his country.”¹¹⁴ Such beliefs and emotions were bound to find outlet in violence and torture.

Property seizure “developed with the conviction that they [Loyalists] were traitors, and was intended to be both a retribution and a punishment.” This punishment was not used at first, but when some Whigs used extreme measures, Loyalists became dangerous. Seizing property was very personal and affected entire loyal families. Patriots confiscated Loyalist land to accomplish several goals. One was to send a message to other citizens that loyalty to America was expected while loyalty to England was harshly penalized by the loss of home, possessions, and personal effects. The second objective was to reward Patriots by selling the land to them at reduced, wartime prices. The third was to raise money from land sales and fill the flagging Continental Congress’ coffers, thus enabling the Treasury to fund the war. A fourth reason was to reduce the ability of Loyalist citizens to supply British troops and Tory parties with food, clothing, and other necessities.¹¹⁵ Whigs often gave the confiscated homes and lands as rewards to homeless Patriots. Alexander Flick contends that it was the English who first established the precedent of seizing the enemies’ property during the American Revolution. He notes, “In 1775[,] parliament ordered all American ships and cargoes on the high seas to be seized and confiscated.” This became common practice and most, if not all, British officers followed this as they occupied towns and cities in America. The British used the seized estates of Whigs to garner more Tory support, by pledging to give them to devoted Loyalists at the war’s end.¹¹⁶

¹¹³Ibid., 76. See also Force, *American Archives*, vol. 2., 508-509, vol. 3, 1552-1554, 1735-1738, vol. 6, 787-780. James Holt, *Holt’s New York Journal*, No. 1721, December 28, 1775.

¹¹⁴Ibid., No. 1721, December 28, 1775.

¹¹⁵Flick, *Loyalism in New York During the American Revolution*, 135, 139.

¹¹⁶Force, *American Archives*, vol.5, 1638, 1646, vol.4, 1628-30. Flick, *Loyalism in New York During the American Revolution*, 136.

Confiscation of property by the Patriots began incrementally, at first. When Congress ordered that all Tories be disarmed, only their firearms were taken. Whigs made an inventory and listed the firearms seized, with their values. They intended that either the monetary amount or the actual weapons were to be returned to the owners at the war's end. Later, this policy was expanded to include Loyalists' real and personal estates, with the provision, "The families of loyalists were allowed to retain their wearing apparel, the necessary household furniture, and provisions for three months." This caveat was not always strictly followed and the claims Loyalists' filed show that, in many cases, everything many families owned was taken, leaving them with only the clothes on their bodies. Such extremes were common and appealed to a public who hated Tories and wanted to see them punished as severely as possible.¹¹⁷ Unfortunately, the masses often took the law into their own hands. This accounts for a large percentage of the abuse and violence seen in this war.

Whigs, appointed or elected to sit on the committee for property seizure, sold the real estate and other goods at auctions advertised in local newspapers. Generally, commissioners (in charge of the sales) required one-third to one-half of the purchasing price down, with the remainder due within the year. Committees also seized land owned by crown officials, governors, and military officers, as well as land owned by the king. The committees thus divided huge estates in smaller lots and sold them to many Patriot sympathizers, as occurred with the entire state of Pennsylvania. This enabled many Whigs to become more self-sufficient and politically powerful after the war when they bought property and were eligible to vote.¹¹⁸ The process was not always fair: women lost their dower rights in their property as feme covert and widows, and many Loyalists lost their inheritance, while others were forced to pay rent to the

¹¹⁷Ibid., 135, 139, 145.

Patriots for the privilege of living on their own land. Once the war was over, some Loyalists returned to America and tried to regain their property. Some were successful in their endeavors while others were not.¹¹⁹ Those Loyalists remaining in exile, whether in England, Canada, or elsewhere, were never fully compensated for their confiscated land and estates. In the end, the Patriots were the real winners of this process; they purchased land at reduced rates, punished their enemies, and deterred others from siding with Britain. This wartime practice was devastating to Loyalists and their families. The violence continued for many Loyalists until they sought refuge elsewhere.

Loyalists and subsequent historians have criticized Patriots for their abusiveness and brutality. They have also cited the poor treatment Patriots suffered from British troops. This treatment was instrumental in changing some strong and devoted Loyalists into Patriot sympathizers. Elizabeth Blain suffered at the hands of British soldiers in spite of the fact that she was loyal to England. The Queen's Rangers, while maintaining control over New Jersey, demolished her home. Such an act could have swayed Mrs. Blain to change her political affiliation, but it did not. After British soldiers wrecked her home, Patriots subsequently also targeted Blain for attack. Congress ordered her remaining property and possessions confiscated and a band of lawless Patriots looted her portable wealth: crops, livestock, and other paraphernalia.¹²⁰ Whigs and British soldiers subjected Mary Price to abuse. This New Jersey resident and her two children sought safety behind British lines when General Howe and his troops arrived in New York in 1776, because "of her known attachment to the King's

¹¹⁸Ibid., 145-160.

¹¹⁹Ibid., 159-160.

¹²⁰*American Loyalists Claims*, reel 13, 158.

Government.” Patriots confiscated her New Jersey property and sold it to benefit their cause.¹²¹ While in New York, the Guards, a division of British troops, pillaged Price’s home, taking away many of her goods.¹²² Both the British and Americans attacked John Smyth’s property in New Jersey. Smyth held several government offices in New Jersey prior to the war. Once the troubles began, he made himself “obnoxious to the Republican Party...and was seized by the Order of a General Heard, East Jersey Militia commander.” When British occupation of the area freed Smyth, Sir William Howe appointed him to administer oaths of allegiance; later he would be in charge of New York City funds. As a result of his loyalty and aid to the British, Smyth “gave great offense to the Leaders of the usurped Government,” and the Whigs seized his home, land, and property and sold them to benefit the American Patriot cause. Even though Smyth held two important offices within the area of British control, he was not immune to their abuse. British troops dismantled a large, cedar fence erected on his property.¹²³ During the war, the British utilized any and all supplies and necessary materials for their advantage, regardless of the source.

The Revolution was a long war which wrought havoc on all participants. The Patriots did win their independence and established a new government, but at a great cost. The Loyalists were less successful, they lost their property, friends, and Whigs subjected them to abuse and violence. Despite this reality, many Tories remained faithful in their devotion to the crown, regardless of obstacles during the war. After the war, many started their new lives in foreign lands, as widows and orphans, without the benefit of their property.

¹²¹Ibid., reel 13, 394-396. For a list of state laws regarding confiscation of Loyalist property during the war see Van Tyne, *The Loyalists in the American Revolution*, 335-341.

¹²²*American Loyalists Claims*, reel 13, 396.

¹²³Ibid., reel 17, 67-70.

Exile was difficult for most, if not all, of the Loyalists. Few had enough money to provide for themselves during the war. The Claims Commission did provide some monetary aid, but it did not alleviate Loyalist refugees' feelings of depression, despair, hopelessness, and loss. Money could not replace the dead husband or son killed in the war, the family they left in America, harassment at the hands of angry mobs, or insults former friends spat at one simply due to politics. Exile was indeed a troublesome burden.

--CHAPTER FIVE--
RAMIFICATIONS OF LOYALTY:
Exiled Far From Home

The American Revolution displaced countless people, but for many, the worst was yet to come. As one exiled Tory stated, “The War never occasioned half the distress which this peace has done to the unfortunate Loyalists.”¹ Loyalist experiences in exile were mixed, but numerous suffered economically as well as psychologically. In America, Patriots directed their anger and frustration at Loyalists, who often fled their homeland for safety in another country.² Many Loyalists sought exile when conditions in America deteriorated, and friends, neighbors, and all hope were lost. Fear of abuse and violence caused some Americans, devoted to British authority, rule, and constitution, to leave the country as prematurely as 1769, when controversy regarding Parliament’s ability to tax the colonists was heating up. Other Loyalists, or Tories, left in 1773, and a steady stream departed throughout the war, and even into the 1790s.³ Writing in January 1778 to Dr. Sylvester Gardiner, the Reverend Henry Caner stated his feelings in exile, “If I can boast of no great matters here [England], at least I think my situation preferable to any prison or Dungeon in America.”⁴ As a direct result of their convictions, Loyalists found themselves in poverty, unfriendly surroundings, and without many prospects for starting a new life in exile.

¹Elizabeth Lichtenstein Johnston, *Recollections of a Georgia Loyalist* (New York: The Bankside Press, 1901), 211.

²Violence was an early topic of correspondence between British officials. In a letter from the Earl of Dartmouth to Lieutenant General Thomas Gage, dated August 2, 1775, the Earl mentioned that if the British must evacuate Boston, “care must be taken that the officers and friends of government be not left exposed to the rage and insults of rebels who set no bounds to their barbarity,” illustrating the climate of the times. K.G. Davies, editor, *Documents of the American Revolution, 1770-1783: Colonial Office Series, XI, Transcripts, July-December, 1775* (Dublin: Irish University Press, 1976), vol. 2, 64, 87.

³Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Company, Inc., 1969), 148.

⁴Catherine S. Crary, editor, *The Price of Loyalty: Tory Writings from the Revolutionary Era* (New York: McGraw-Hill Book Company, 1973), 18.

The 1783 Peace of Paris effectively ended the American Revolution and set forth the new boundaries for the United States of America. The treaty granted land in North America to France and Spain as allies of the newly created country and permitted the British to keep their remaining territory in Canada. The treaty also proscribed treatment for Loyalists and their property in America. Patriots and the British viewed the Loyalists in completely different ways,

The Americans felt an understandable animosity toward their enemy brothers while the British Government saw the national honor involved in the fate of these loyal sons who had been encouraged to pledge their lives and futures in the royal cause and had been assured of continued protection.⁵

The Loyalist issue is addressed in Articles IV and V of the treaty. Essentially, Congress left to the states the ultimate decision of ending the persecution of Loyalists and confiscation of their property.⁶ Most Loyalists were “convinced that the Americans would not enforce the ambiguous terms of the peace treaty” for regaining their property in America and thus pressured the British government “to make good their losses.”⁷ Exiles submitted petitions to Parliament which outlined their belief that they would not receive fair compensation from the Americans. They maintained that “they had to rely solely upon the justice and magnanimity of Parliament to repay them for their ‘sufferings, losses, and distresses’ in the service of the crown.” They wanted to be repaid for their fealty to Great Britain during the American Revolution.⁸ The terms of the peace treaty and publication of Patriot abuses against Loyalists swayed public opinion in Britain, but had no effect in America.

Exile was not to be temporary and the British government realized that some provisions must be made to ease the dire circumstances of Loyalists in England and her provinces. Initially, the government granted interim aid to Loyalists in extreme circumstances, “Commissioners were

⁵Brown, *The Good Americans*, 170-171.

⁶Ibid., 171.

⁷Norton, *The British Americans*, 185.

appointed to dispense temporary support, either [through] annual pensions or small lump sums, to victims frequently officially confirmed to be actually starving and in rags.” The government gave other considerations to permanently injured and wounded Loyalists who, without governmental help, would end up in the poor house or starve to death.⁹ The exact number of exiled Loyalists will never be determined however, Esmond Wright, editor of *Red, White and True Blue: The Loyalists in the Revolution*, estimates that “some 80,000 Loyalists emigrated in or by 1783... about 20,000 Americans fought for George III; and perhaps, in their hearts, one in five of the American people were loyal, if not fully and actively Loyalist.”¹⁰ Many of the Loyalists eventually filed for their losses, and this evidence, as well as various personal diaries and letters, attested to the Loyalist refugees’ distraught circumstances.

Although not immediately comprehended by all Loyalists, repatriation to America would not come as quickly (or at all) as once believed and their lives in exile proved to be quite difficult. Whether exiled in England or elsewhere, not all Tories were equal to one another, and thus treated differently. Social rank was very important in England and exiles,

 faced a more settled, more closed, more hierarchical society than America’s, with much more poverty, and in many ways much less opportunity, and ... [the refugees] often encountered prejudice [from native Englishmen and women] against provincial Americans. Also, immigrant Britishers who had ‘bettered themselves’ in America returned to find they were expected to resume their previous more humble stations.¹¹

Loyalist clergy often obtained positions in English parishes, royal officials’ salaries frequently continued during the war, and a few Loyalists received assignments in England or in

⁸Ibid., 187-188.

⁹Ibid., 151, 166.

¹⁰Esmond Wright, editor, *Red, White and True Blue: The Loyalists in the Revolution* (New York: AMS Press, 1976), Introduction, ii.

¹¹Brown, *The Good Americans*, 153-154. Wallace Brown, *The King's Friends: The Composition And Motives Of The American Loyalist Claimants* (Rhode Island: Brown University Press, 1965), 235.

some of her remaining colonial possessions. Other Loyalists, however, found themselves in hopeless straights, as “Debt and the dread of imprisonment for debt followed many exiles like a lengthening shadow.” Some exiles filed for recompense but also found it necessary to subsidize their incomes by working. Not all jobs that Loyalists did in America transferred to England, but the men and women most able to find work were those from the skilled trades and laboring ranks, while gentlemen, doctors, lawyers, and merchants fared much worse.¹² Examples abound of elite colonists forced to seek menial work in England just to provide for themselves and their families. In Wallace Brown’s *The Good Americans: The Loyalists in the American Revolution*, the author notes that Mrs. Elizabeth Dumaresq, a member of the Massachusetts elite prior to the war, was reduced to entering “domestic service” in spite of her familial relation to Lord Shelburne and the Earl of Granville.¹³ Unfortunately, not all English men and women appreciated the special difficulties that Loyalists experienced in exile and Loyalists were often discriminated against, once again, for their politics.

Loyalists, from the outset, found life difficult in England, Nova Scotia, the Bahamas and elsewhere. In exile, the locals, who often blamed them for the poor progress of the war and sided with the American Patriot cause, ostracized them. Loyalist experiences were traumatic and their lives irrevocably changed. The evidence from letters, diary entries, newspaper accounts, and the many claims filed demonstrates that Loyalists suffered economic and personal hardships, were not fully appreciated for the sacrifices they made, and were really Americans, no matter how much they believed themselves to be English citizens simply living in the British colonies of

¹²Brown, *The Good Americans*, 151-153. Alfred E. Jones, *The Loyalists Of Massachusetts: Their Memorials, Petitions And Claims* (Baltimore: Genealogical Publishing Company, 1969), 123.

¹³Brown, *The Good Americans*, 153.

North America.¹⁴ Insanity, depression, melancholy and despair, anger and disgust were common reactions to exile. Many Loyalists felt dread and doom,

a great number of those Loyalists remaining in Great Britain were wasting the prime of their lives and dragging out a miserable existence, without being enabled to settle any kind of business whatsoever. A number, through despondence, had died with broken hearts. Others had been arrested, imprisoned and had perished in jail, while others had been driven into insanity and from insanity to suicide, leaving their helpless widows and orphans to subsist on the cold charity of strangers.¹⁵

After all, “The Loyalists were Americans, but Americans without a home. That was their tragedy.”¹⁶ Many Loyalists did not like England, even though they had always considered it home. Some described it as “Sodom,” while others, such as Chief Justice William Smith, commented on the large number of the poor in the cities and the vast quantity of “prostitutes and beggars” found in the streets. Those Loyalists from more rural areas in America found London to be a clamorous, boisterous, and garish place to which they were not well suited.¹⁷ Although they disagreed with the Patriots’ politics and ideologies, most Loyalists had been happy in America and longed to return to it once the war ended. Such would be possible for some but not all of the Loyalists.

Accounts of their experiences in Canada demonstrated that Loyalist exiles suffered many hardships during their first few years of settlement in that area of the British Empire. In *Loyalist Narratives From Upper Canada*, editor James J. Talman provides readers and historians with the accounts, claims, personal memories, obituaries, profile narratives, letters, and related documents of United Empire Loyalists who resettled in Canada during and after the American War for Independence. The area referred to as Upper Canada was part of Quebec and divided as a result

¹⁴Crary, *The Price of Loyalty*, 37.

¹⁵Jones, *The Loyalists of Massachusetts*, 159-160.

¹⁶Brown, *The Good Americans*, 155-6, 159.

¹⁷*Ibid.*, 160-162.

of the large, steady influx of English speaking Tories from America. French speaking inhabitants largely populated Lower Canada and the two areas were united in the 1840s.¹⁸ As early as the spring of 1783, General Frederick Haldiman, Governor of Quebec, ordered Major Samuel Holland, Surveyor General, to “set off immediately...[to] minutely examine into the Situation and State of the Post formerly occupied by the French, and the Land and Country Adjacent...” and notify him on the conditions of the area.¹⁹ The Loyalists who fled to Canada found themselves in a land blessed with plenty of natural resources, friendly natives, and large grants of good land from the English government for their sacrifices and support during the war. Regardless of these facts, the Loyalists also experienced many difficulties and burdens in the first few years of settlement in Upper Canada. Primarily, the area was undeveloped and the exiles had little, if any, supplies, implements, seeds, or livestock to aid them in clearing the fields, building homes, and establishing farms and crops.²⁰ Loyalists sent letters and requests to government officials asking for various essentials for survival in this frontier wilderness, illustrating that although willing to establish new homes and towns in Canada, and work hard for their own success, they were ill-equipped to do so. The Loyalists wrote a letter to General Haldimand, describing their plight,

¹⁸James J. Talman, editor, *Loyalist Narratives From Upper Canada* (Toronto: The Champlain Society, 1946), Introduction-- xxi. The French speaking inhabitants of Quebec or Lower Canada were originally part of the French empire. England, as a result of its victory in the French and Indian War, 1754-1763, gained that territory (which was once held by the French) but many of the French citizens living there decided to remain under English rule. As part of its restructuring program of the 1760s and 1770s, Parliament passed the Quebec Act in 1774. This act allowed the French people living in Quebec to gain territory in the Ohio Valley region of the American colonies, retain their language, and their religion. This act was very controversial with the Americans in the thirteen colonies, and was just another reason referenced as the various ways that England was trying to enslave them.

¹⁹Haldiman’s complete title was “the Governor and Commander and Chief in and over Quebec, etc.” Brigadier General E.A. Cruikshank, editor, *The Settlement Of The United Empire Loyalists On The Upper St. Lawrence and Bay Of Quinte In 1784: A Documentary Record* (Toronto: Ontario Historical Society, 1966), Letter “From General Haldimand To Samuel Holland,” 1.

²⁰Talman, *Loyalist Narratives from Upper Canada*, xlv, xlvii, 2, 31, 65. Cruikshank, *The Settlement of the United Empire Loyalists on the Upper St. Lawrence and Bay of Quinte in 1784*, Letter “Memorial from Loyalists at Sorel,” 39-41.

We therefore humbly beg leave to acquaint your Excellency That our poverty in our present situation is such as Exposes us to every inconvenience arising from the Inclemence of the present season for want of clothing, numbers of us having scarcely a whole Garment or a comfortable Blanket and find no hope of relief but from this application to your Excellence.”²¹

Loyalists needed “boards, Nails and Shingles...” as well as animals for farming and food production, weapons and tools, and seeds to establish crops.²² The Loyalists were in great need and “requested of the Companies of Associated Loyalists going to form a settlement at Cataraque”

Boards, Nails and Shingles...Eighty Squares of Window Glass...Arms and Ammunition with one Felling Ax [for every male aged fourteen and above] Leather for Horse Collars, Two Spades, Three Iron Wedges, Three Hoes, One Hand Saw and Files, One Nail Hammer, One Drawing Knife, One Broad Ax...[per family]²³

The Loyalists needed many items, stating that “Our present Poverty and Inability to Purchase these Articles as well as our remote situation...makes our request that much more dire and failure to supply us with such items may result in our defeat.”²⁴ They stated that they were in the “greatest distress in a strange Country,” acknowledging the fact that they were far from friends and family who might ease their conditions until their circumstances improved.²⁵ The Loyalists were aware that they were asking for quite a large amount of supplies and offered to repay the expenses by submitting to taxes at a later date. The British government provided material assistance in the form of tools, supplies, and animals, but also gave settlers food rations.²⁶ The

²¹Cruikshank, “Memorial From Loyalists At Sorel,” 39.

²²Talman, *Loyalist Narratives From Upper Canada*, xlv-xlvi.

²³This is only a partial listing of the items that the Loyalists requested. Cruikshank, “Memorial Of The Associated Loyalists,” 41.

²⁴Cruikshank, “Memorial From Loyalists At Sorel,” 39, “Petition Of Michael Grass And Others,” 40, “Memorial Of The Associated Loyalists,” 41. Talman, *Loyalists Narratives From Upper Canada*, Introduction, xlv-xlvi.

²⁵Cruikshank, “Memorial From Loyalists At Sorel,” 39.

²⁶Talman, *Loyalists Narratives From Upper Canada*, Introduction, xlv-xlvi.

government not only granted land to the Loyalists but also to their sons and daughters when they came of age or married, but such provisions did not negate the fact that:

The Loyalists, having sacrificed their property to their politics, were generally speaking, poor. They had to work hard, and suffer many privations before they raise crops to support their family.²⁷

The conditions, but perhaps not the climate, in Upper Canada were reminiscent of the first American settlers who arrived in Jamestown, Virginia in the early 1600s. They too relied on the beneficence of the joint-stock company, while later royal settlers would look to the crown for necessities in starting and/or maintaining their settlements in North America.

In *Loyalist Narratives of Upper Canada*, Captain Thomas Gummersall Anderson recalled the difficulties that Loyalists experienced as they worked to establish their settlements in Upper Canada. He mentioned the poverty of the people, many of whom had lived quite comfortably in America prior to the war but who now lacked hearty food. Captain Anderson noted that the initial settlers and their sons and daughters suffered and had a hard life, without the benefit of education or even simple luxuries. The next generation, however, enjoyed abundance, independence from backbreaking toil, and a life of ease as a result of the efforts of United Empire Loyalists who came before them.²⁸ Such an account came from a man who lived through the initial stage of establishing towns in Upper Canada and he remembered how difficult those early days truly were. A Memorial from Loyalist Officers to Sir John Johnson listed some of the complaints that the men had. They stated that the amount of rations provided by government was inadequate. A later letter mentioned that the Loyalists were dissatisfied with the land distribution, especially after the significant sacrifices they made for England. A third letter from Sir John Johnson to General Haldimand confirmed the paucity of the Loyalists' state.

²⁷Talman, "Reminiscences of Capt. Thomas Gummersall Anderson," 2.

Sir John mentioned the short supply of wheat in the community and that “the distressed Situation of these poor People is but too evident...”²⁹

Roger Bates’ account is similar to Captain Anderson’s. Bates’ family immigrated to America in the era of colonial reform, around 1760-1770. As Loyalists, they could not remain in America. The British government used a system in Canada similar to that of the head-right system used in the American colonial period. The government gave male Loyalists large tracts of land while their children were granted smaller parcels of Canadian land.³⁰ Generally, the head of a family received 100 acres of land, with an additional fifty acres for each person in his household, unmarried men received fifty acres, while former soldiers received a bit more than a family man, plus the headright.³¹ This reward benefited both Loyalists and England. Canada would be populated by loyal, English inhabitants who would protect this holding from encroachment from the Americans, the Indians, and any other hostile enemies, such as the French. Canada would also provide natural resources and raw material for the empire, much of which had been furnished by the American colonies. In addition to the tangible benefits that England experienced from granting Loyalists land in Canada, it was also a relatively inexpensive way to provide compensation to those Loyalists and their families who sacrificed everything to help defend the empire.

In Bates’ account, he mentioned the various plenitude of wildlife, seemingly endless forests, and resourcefulness of the settlers. He also discussed the fact that all Loyalist settlers in Canada, “at first experienced great privations,” regardless of the bountiful resources available. Once established, Bates’ family was successful and quite happy. The first several years were

²⁸Ibid., 2-3.

²⁹Cruikshank, “Memorial From Loyalist Officers,” 131, Letter “From James Rogers And Others To Sir John Johnson,” 151, Letter “From Sir John Johnson To General Haldimand,” 152.

³⁰Talman, “Testimonial of Roger Bates,” 31.

ones in which the ingenuity of the people enabled them to adopt native tools, building, and clothing techniques to make do until they could obtain proper implements, cloth, and linen.³² Regardless of the hardships, Bates and his family were happy to be safely under British authority and away from the fractious nature of the Patriots.

The account left by Richard Cartwright, entitled *A Journey to Canada*, described the difficulty that Loyalists experienced in their flight from America and the war. Cartwright, along with a few family members and fellow travelers, journeyed from Albany, New York to Canada in the late 1770s, while the war continued. Cartwright's motivation for leaving America was political: he wanted to establish himself in a land where he could follow his goal of "pursuing my original Plan of Life, and enjoying Peace with all its attendant Blessings."³³ Not many people stop to consider the arduous task Loyalists encountered because of their decision to relocate to Canada. Richard Cartwright and his companions experienced almost constant fatigue, rain, muddy roads, swollen rivers, and the possibility of Patriot confrontations. Although his journey was long and fraught with unpleasantness, Cartwright believed that his choice was a sound one, stating, "...indeed we should not know the Value of good Things did we not sometimes experience their Contrary Evils."³⁴ Most likely his reference not only concerned the difficult journey but also the prospect of living under the tumult of war and a possible Patriot government.

Loyalists found life in exile very difficult. Initially, some Loyalists fled to American areas under British military control. Early in the war Boston, Massachusetts provided safe haven

³¹Cruikshank, "Additional Royal Instructions," 35.

³²Talman, "Testimonial of Roger Bates," 31-33.

³³Talman, Richard Cartwright's "A Journey To Canada," 46.

³⁴Ibid., 45-47. Exile in Eastern Ontario was also fraught with difficulty, misery, and despair. Janice Potter-MacKinnon, *While the Women Only Wept: Loyalist Refugee Women in Eastern Ontario* (Montreal: McGill-Queen's University Press, 1993), 94-98.

for harassed Loyalists. Although the British army ensured safety from Patriot abuse, living conditions within the crowded city left much to be desired. The flood of Tories taxed the amenities of the area, leaving many with little food, poor dwellings, and scarce resources. Once the British evacuated Boston, troops occupied other cities throughout the war, such as New York, Savannah, Philadelphia, and Charleston. Threatened and fearful, Loyalists fled behind the British lines in an effort to keep their families safe until the war ended. Housing was in short supply, leading to overcrowding, unclean conditions, and high prices. During British control, “nearly one-fourth of the dwellings in New York accidentally were destroyed by fire,” and many residents complained about being “obliged” to house British soldiers, sailors, and officers in their homes.³⁵

Some Loyalists remained behind British lines during the whole war, while others stayed in British-occupied cities only briefly and then migrated to other areas. Many Tories fled to Nova Scotia, a brief journey but many found the area to be unpleasant, foreign, and expensive. Locals took advantage of the Loyalists, charging them inflated prices for food, clothing, and lodgings.³⁶ Conditions in Nova Scotia and Canada were primitive, to put it mildly. Poor health, inferior accommodations, inclement weather, and cramped conditions caused many exiles to move once again to England or the West Indies in search of a better place to reside until the British won the war.³⁷ Loyalists who undertook such a move soon realized that they paid a high price for their political convictions.

England admitted a large number of exiles from America. It was an obvious choice for British citizens to make, especially for those who had recently immigrated. Once in the mother

³⁵Mary Beth Norton, *The British Americans: the Loyalist exiles in England 1774-1789* (Boston: Little and Brown, 1972), 28-33.

³⁶*Ibid.*, 31.

country, many Loyalists “found...a culture and system of government [that was] alien to them,” surrounded by a populous who was tired of the American conflict, over taxed, and unappreciative of sacrifices made by the exiles.³⁸ Loyalists had much trouble adjusting to their new surroundings in London and other parts of England and often experienced regrets for the life and possessions that they lost in their support of the British system of government. The adjustment was not an easy one and Loyalists began to suffer real deprivations. Many of the Loyalists were unable to aid the government in its war effort, and felt useless in a foreign place, far from home. Although they wanted to work to help support themselves and their families while they were staying in London, “London had little need for the services of colonial customs officials, judges, councilors, or landowners.” Former merchants, artisans, and business men were unable to start up their former ventures in England due to lack of money to purchase stock, goods, rent shop space, and hire workers. Men in other careers, such as the law, medicine, and government, also failed to obtain work in their former professions by virtue of the fact that they were unfamiliar with English systems and customs, and many in England thought that their training was inferior.³⁹ Such Loyalists had been useful men in the American colonies but were now relatively useless outside that system. They lacked money, influence, power, friends, and positions, thus leading them to request aid for their subsistence while in England.

One such Loyalist was Jonathan Boucher, whom historians have only recently acknowledged as being “a significant figure in the history of eighteenth century American

³⁷Ibid., 30-33. Cruikshank, “From John Collins to General Haldimand,”22, “From Major Ross to Major Mathews,” 50, “From Major Mathews to Captain Sherwood,”82, “From Major Ross to Major Mathews,” 160.

³⁸Norton, *The British Americans*, 41. James Moody, *Narrative of His Exertions and Sufferings in the Cause of Government* (New York: Arno Press, Inc., 1968), 54-57.

³⁹Norton, *The British Americans*, 49-50. American claims filed by Thomas Harper of South Carolina, Francis Thomas of New Jersey, James Tory of North Carolina, and Samuel Garnett of Massachusetts help show that many Loyalists exiled and living in England had difficulty finding jobs with which to support themselves and their

thought.” Boucher, born in England, made his home in Maryland and was influential, an intellectual preacher, and plantation owner. He supported the Anglican religion in America and the concept of establishing an American bishop to oversee the multifarious functions of the church.⁴⁰ In London, Boucher’s experiences were both positive and negative, although he often found himself in despair over his situation, like many other Loyalists in exile:

he was representative of the heavy losers in the American Revolution, many of whose lives were endangered, whose property was confiscated, and whose family ties were disrupted and divided between the opposing sides in this essentially civil war. Boucher’s story reminds us that there was an articulate body of citizens with logical and reasoned arguments on the British side of the war.⁴¹

Boucher was more of a celebrity in London than many of his fellow Loyalist exiles and, as such, he had access to influential members of British politics, the North administration, and other men in high positions whose help might enable him to gain a paid position in the church. Through his contacts, Boucher received encouragement that he would find favorable treatment from the Claims Commission but such was not really the case. For his loyalty, Boucher and his wife were ultimately rewarded with one hundred pounds per year, a good pension but not one on which he and his wife could live comfortably.⁴² At nearly forty years of age, Jonathan Boucher came “to know hard times and bitter disillusionment” as a refugee from the American War for Independence. In London, he tried to find work but was always plagued with worries about money. In America, he served as a teacher as well as running his plantation and ministering to his church. In England, he faced a stiff rivalry from well-educated individuals, leading to long-term depression, when he faced the reality that “He had no other training and experience and few

families. The Public Records of Great Britain, Series 1, *The Loyalist Claims, 1776-1831* (Exchequer and Audit Department, 1972), reel 51, 15, reel 100, 89-90, 165-166, 342-343, reel 102, 117-118, reel 105, 126-127.

⁴⁰Anne Y. Zimmer, *Jonathan Boucher: Loyalist in Exile* (Detroit: Wayne State University Press, 1978), 9.

⁴¹*Ibid.*, 11.

⁴²Jonathan Boucher, *Reminiscences of an American Loyalist, 1738-1789* (New York: Kennikat Press, 1967), 145-146. Zimmer, *Jonathan Boucher*, 11, 195, 210.

avenues to earning a living.” Boucher “was [often] beset with financial fears.” Only a year after arriving in London, Boucher recounted that he and his wife “were learning to economize, to live frugally, but were learning very painfully and not very well.”⁴³ In many ways, his experiences were like those of other Loyalist residents in London during the war. They all discovered, to their disappointment, that it was a very costly place to live, that most people were hostile to the Loyalist plight during the war, and that they might never return to America. To make matters worse, the Loyalists were not able to enter into English society as equals:

The exiles were sensitive to the rebuffs they received when they attempted ‘to enter fully into English political or economic life’ and in part this was responsible for their withdrawal into ‘small refugee societies’ based on their concentration in certain London neighborhoods along provincial lines.⁴⁴

Not only did Loyalists compete with native Londoners for jobs, political positions, and favors, they also competed against each other in an effort to create a new life for themselves and their families.

Jonathan Boucher fared better than many exiles; he eventually found a position in London, started an educational institute for boys, sold his writings, and ministered to wealthy patrons for additional money. Even with all of these sources of income, Boucher and his wife still had to curb their expenses and live frugally. Boucher also did not like the profession of teaching and believed he would be more successful if he were “a younger and less shattered and weather-beaten man.”⁴⁵

The toll that loyalism wrought on its adherents was not always as obvious as a battle wound or scar would be. Some were sad to leave the place of their birth, their friends and family, and their homes. Other Loyalists had faced angry mobs who overpowered and abused them and

⁴³Zimmer, *Jonathan Boucher*, 195, 204, 206, 208. Norton, *The British Americans*, 68-72.

⁴⁴Zimmer, *Jonathan Boucher*, 209. Boucher, *Reminiscences of an American Loyalist*, 145-148.

⁴⁵Zimmer, *Jonathan Boucher*, 208-211.

destroyed their farms, plantations, homes, and possessions. Additionally, they served in Loyalist militias and regiments and lost limbs, were weakened by disease, and some died before they could flee. Regardless of their experiences at the hands of angry and vengeful Patriots, Loyalist refugees in England had to re-establish themselves, find work, ask for compensation from the government, and become accustomed to living in a new place without the support of friends and family.

Conditions and occurrences in London disconcerted Loyalists but frustration also came in the form of news from America. Jonathan Boucher "...learned to his dismay that the Sons of Liberty had hanged him in effigy." He also heard that his property, the plantation as well as his slaves, livestock, and household goods, would be seized and sold to the highest bidder. Further bad news came as well. The Maryland church in which Boucher preached was now under the direction of his subordinate and Patriots around the country were working hard to remove the influence and power of the Anglican Church in America. Then, in the spring of 1781, Boucher learned that Maryland's General Court had declared him a traitor to America. The next year this charge was reversed but his property was still liable to confiscation and Boucher's enemies in Maryland filled the newspapers with negative and unfounded information designed to ruin his reputation.⁴⁶ Boucher was in despair. His predicament in England was not as roseate as it had been in Maryland, he struggled to earn enough money to support himself and his wife, he disliked his new profession, and London was inhospitable. Add to that the loss of his property, church, and reputation in Maryland, it is no wonder that this man found his life so dreary and believed that it was "little less than madness in me to hope for success."⁴⁷ The feelings that

⁴⁶Ibid., 218-222.

⁴⁷Boucher, *Reminiscences of an American Loyalist*, 145-146.

Boucher experienced were shared by other Loyalists, causing many to leave England and resettle in Nova Scotia.

James Moody was one of those Loyalists who first fled to London, stayed until he was compensated, then resettled with his family in Nova Scotia in hopes of starting a new and better life under British authority. Moody had farmed upwards of 500 acres of land in New Jersey prior to the war. Once the war broke out, he enlisted in the New Jersey Volunteers, a Loyalist corps in his colony and served the crown as a Lieutenant, recruited more than one hundred men for the British military, “interrupted several Mails at New York and [,] in his Military Capacity[,] he took Prisoner 6 field Officers, three Captains, and 2 Lieutenants.”⁴⁸ He also spent 1,500 pounds of his own money for the cause and requested repayment from Claims Commissioners once he submitted his petition. In 1782, Moody left America, “suffering from what would later be called battle fatigue,” for England. While in London, Moody found what many other exiles found, a costly and crowded city. As he waited for his claim to be evaluated, he wrote his experiences in the war in what he titled *Narrative of his Exertions and Sufferings in the Cause of Government since the Year 1776*, which explained his reasoning for remaining loyal to Great Britain.

With this conviction strong upon his mind, he resolved, that there was no difficulty, danger, or distress, which, as an honest man, he ought not to undergo, rather than see his country thus disgraced and undone.⁴⁹

Moody’s *Narrative* recounts his life prior to the war and his exploits exerted for the British cause during the war, with an appendix of certificates attesting to his service from “a great number...[of] persons of rank and estimation in America speaking very highly of his exertions in favor of Government and of his Character.” He also provided a testimonial from General

⁴⁸ *American Loyalist Claims*, reels 99-100, 4-5.

Paterson's Secretary "speaking of [the] many great advantages derived to this Country from Mr. Moody's exertions."⁵⁰ William Franklin, former Royal Governor of New Jersey, also provided an endorsement of Moody's contribution to the British during the war in America. In addition to the above activities, the Patriots captured Moody "and certainly [he] would have been executed if he had not made his escape."⁵¹ Moody's *Narrative* was popular with Londoners and exiles alike and helped Moody prove his claim for compensation along with providing important and influential witnesses, affidavits, and letters attesting to the truthfulness of his narrative, his active and successful service, and his extreme and unwavering loyalty. Not only did Lieutenant Moody serve the British, the Patriots imprisoned him and subjected him to abuse, keeping him shackled, hand and foot, for several weeks.⁵² While waiting for his claim to be settled, Moody appealed for an immediate grant of money to aid him, stating that he "had nothing to subsist on." This was granted and the Commission eventually settled his claim and awarded him 1,719 pounds, 10 shillings. This was in 1785, after the government decided to provide claimants, whose petitions were previously reviewed and approved, with partial payments. The Claims Commission verified the claimant's testimony and established the amount of compensation due, while Parliament was the distributor of the money. Moody was given a payment of 634 pounds, 4 shillings and he and his wife set sail for Nova Scotia not long afterward.⁵³ The Moodys believed that they would be able to settle near old friends and acquaintances, be rewarded with a large

⁴⁹Moody, *Narrative of His Exertions and Sufferings in the Cause of Government*, 3.

⁵⁰ *American Loyalist Claims*, reels 99-100, 4.

⁵¹ *Ibid.*, reels 99-100, 4. For a further account of James Moody's activities on behalf of the British cause see his *Narrative of His Exertions and Sufferings in the Cause of Government*.

⁵²Crary, *The Price of Loyalty*, 209-216.

⁵³Susan Burgess Shenstone, *So ObstinateLY Loyal: James Moody 1744-1809* (Montreal: McGill-Queen's University Press, 2000), 148, 163-164.

plot of land for their loyalty, and his service and sufferings, and could work hard and prosper, an opportunity not available to them in London.⁵⁴

James Moody hoped to meet his friends in Nova Scotia. Letters describing the conditions of the area reached Moody in London, giving him hope tempered with a real knowledge of the positive and negative aspects of settling in Nova Scotia. His friend and former commander, Thomas Millidge, wrote:

the lands are pretty good here but rough full of what is Calld. Cradle hills...hard Maple, Beach, Birch, Firs, Hemlock & Spruce grow here...[and we have] an exceeding[ly] good harbour for Shipping. Fishery may be carried on to advantage & some Lumber if moneyed & spirited men were here.⁵⁵

Such a description most likely made Moody believe that he had many options for making his livelihood in such a place. Once the Moodys arrived in Halifax, they still had a long journey ahead of them before they were to reach their final destination, Sissiboo (today known as Weymouth) in western Nova Scotia. They traveled from England to Halifax by boat, from Halifax to Windsor by carriage, from Windsor to Horton on horseback, then from Horton to Annapolis County by boat.⁵⁶ Such a long and varied journey indicated the lack of usable roads, the isolated conditions, and dense, thick-forested lands that the couple traveled across and around to finally arrive in Sissiboo.

In addition to his own claim for loss of land, household items, and other goods amounting to approximately 3,000 pounds, Lieutenant James Moody also requested:

If any lands should be granted in Canada or Nova Scotia[,] He would be glad to have them, because it would give him an Opportunity of providing for some of those Men whom he raised in America. And who are under Circumstances that make it impossible for them to live there. There are 15 of these Men alive and he

⁵⁴Crary, *The Price of Loyalty*, 209-216.

⁵⁵*Ibid.*, 154.

⁵⁶*Ibid.*, 164-165, 168, 172-173.

thinks they would be satisfied with 500 Acres apiece—he should hope for a greater allotment for himself...⁵⁷

This claim is unusual in that the claimant requested land to provide for the soldiers he recruited during the war. Typically, claimants only asked for recompense for their own and their families' losses, not for those who had not filed on their own behalf. The evidence furnished by Lieutenant Moody for his military assistance and good conduct was impressive, significant, and certainly proved his service for England. The Commissioners commented favorably on it, noting, "This is a Case of great Merit and great Exertions in his Majesty's Service."⁵⁸ The Commissioners did not mention providing land in Canada or Nova Scotia for the other men who served under Lieutenant Moody, indicating that those men would have to file claims in their own behalf and prove their services to the crown. It was common for land to be given to Loyalists in Eastern Ontario for their service during the American Revolution.⁵⁹

Nova Scotia had undergone several changes recently and the Moodys saw many former neighbors and friends from New Jersey. Many American exiles immigrated to Nova Scotia, some as Loyalists but others as opportunists, searching for more land. Such migration swelled Nova Scotia's population to over 70,000 by the 1780s. The impoverished conditions in Nova Scotia overwhelmed many of the arriving settlers and refugees. Many of the necessities of life were not to be found, except, perhaps at exorbitant prices that few could afford.⁶⁰ Although the area possessed many natural resources, such as timber, fish, and wildlife, it did not lend itself to agriculture, a system in which many Americans were skilled. Protestant, English-speaking people brought to the area to counter the French Acadian influence of past French settlements,

⁵⁷ *American Loyalist Claims, reels 99-100, 5.*

⁵⁸ *Ibid.*, reels 99-100, 5.

⁵⁹ Janice Potter-MacKinnon, *While the Women Only Wept*, 128-129.

⁶⁰ Neil MacKinnon, *This Unfriendly Soil: The Loyalist Experience in Nova Scotia, 1783-1791* (Montreal: McGill-Queen's University Press, 1986), 16.

composed the largest population of the area.⁶¹ In Halifax, one found a rather typical, if slightly sparse, port town. It contained churches, wooden homes, barracks, a meetinghouse, and a town square. The recent influx of immigrants did not improve the sights, “The Common...still had remnants of a tent town and abandoned spruce wigwams where the poorer American refugees had camped after their evacuation from [New York]...three years before.” In addition to the shacks, “Doing a lively trade were the prostitutes and disreputable taverns,” as well as the usual troublemakers who vandalized and destroyed whatever they could during the night. Also,

drunken soldiers and sailors, barely touched by civilian law, roamed the streets breaking up fences, beating up the casual stroller, and attempting to rape any young woman unfortunate enough to be unaccompanied at night, or at times[,] even in broad daylight.

To such sights one can also add “The stench of the daily sewage being trundled down to the harbour.”⁶² James Moody and his family would only experience such sights in Halifax, for the town of Sissiboo, where they intended to live, had a small population, was relatively isolated from other areas and less economically successful at the time.

Loyalists, especially those from the southern part of the United States, might attempt to settle in Canada but few ever braved the trip, believing that the climate was “too cold.” Many Loyalists, as well as some from northern climes, found refuge in the West Indies, specifically Dominica, Jamaica, and the Bahamas.⁶³ According to Wallace Brown, author of the article “The Loyalists in the West Indies,” approximately 5,465 white Loyalists sought exile in the islands while they brought with them nearly triple their own numbers in black slaves which sent the

⁶¹Shenstone, *So Obstinate Loyal*, 69-171. Cruikshank, *The Settlement of the United Empire Loyalists on the Upper St. Lawrence and Bay of Quinte in 1784*, “Report by Lieutenant Solomon Johns,” 29, “From Captain Barnes to Major Mathews,” 46, “From Sir John Johnson to Major Mathews,” 47.

⁶²Shenstone, *So Obstinate Loyal*, 171. Potter-MacKinnon, *While the Women Only Wept*, 48-49.

⁶³Wallace Brown, “The Loyalists in the West Indies.” in *Red, White and True Blue*, Wright, editor, 77-78, 73. Wilbur Henry Siebert, *Loyalists in East Florida, 1774 to 1785: The Most Important Documents Pertaining*

islands' slave population to previously unknown heights. A majority of these Tories came after evacuation of the three biggest British strongholds, Savannah, Charleston, and New York, near the end of the war.⁶⁴ Unlike Canada, exiles in the islands did not suffer from harsh weather, although they did have their problems.

Loyalists in the islands enjoyed a pleasant climate, one that could be hot in the summer months, but not too different from that experienced in Massachusetts, according to Samuel Quincy who stated that it was “no worse than Boston in the dog days.”⁶⁵ While this was the case, tropical storms and hurricanes could destroy crops, homes, and businesses. Storms were not the only concern for Loyalists; disease was also a threat. “A modern scholar argues that at the time the Loyalists arrived ‘the conditions of mortality’ were such that existing numbers of blacks and whites could only be maintained by ‘large-scale’ immigration.” Regardless, many Loyalists, once they were thoroughly established, found the islands a relatively healthy place to live, especially when they considered the wide array of natural food sources available.⁶⁶ After their adjustment to the weather and soil, these exiled Americans provided for themselves and their families.

The plight Loyalists experienced in the Bahamas, Jamaica, and Dominica differed, just as it did in the other places of refuge. Some Loyalists were able to leave America with much or most of their possessions, some were even fortunate enough to disassemble their homes, transport the raw material with them, and reconstruct them once they arrived. Not all were in such a state, and “More usually the refugees seem to have been ‘in the greatest distress,’ “and in

There to, Edited with an Accompanying Narrative, (Boston: Gregg Press, 1972), volume I, 181-182, volume II, 362-363.

⁶⁴Brown, “The Loyalists in the West Indies,” 74.

⁶⁵Clifford K. Shipton, *Sibley's Harvard Graduates: Biographical Sketches of Those Who Attended Harvard College in the Classes 1751-1755*, (Boston: Massachusetts Historical Society, 1965), 485.

⁶⁶Brown, “The Loyalists in the West Indies,” 78-79. Siebert, *Loyalists in East Florida*, volume I, 205.

need of help.⁶⁷ The most common problems that Loyalists initially experienced in the islands included overcrowding of towns, inadequate accommodations, and insufficient supplies. The government, as well as the people of the islands, quickly came to the aid of the refugees in a desire to improve their plight. Public and private charitable organizations and churches raised money, held lotteries, and donated supplies to the cause. At the local level, city and town authorities granted Loyalists a reprieve from certain charges that most citizens paid; land taxes, fees on the importation of slaves, and public service, militia duty excepted.⁶⁸

The British government, as it had done in Canada and Nova Scotia, also stepped in to provide Loyalist refugees with land, supplies, food, tools, and just about anything else that was necessary. The government extended such aid for several years, enabling the exiles to finally become self-reliant. In addition to the above-mentioned relief, the Claims Commission granted some Loyalists monetary compensation, while others found positions in public service and local government. Life in the islands became easier for Loyalists as they built their homes, plantations, and businesses. Competition with the native people was not difficult, primarily due to the fact that the native islanders, derisively called “Conchs,” were not an especially industrious people. The native people in the islands were a mixture of different ethnic groups such as French settlers, slaves, and Mulattos. The Loyalists were hard workers who perceived that among the natives “There was too much reliance on the less demanding occupations of wrecking, wood-cutting and turtle and iguana hunting” and the natives’ production of tools and other laborsaving devices was primitive.⁶⁹

⁶⁷Brown, “The Loyalists in the West Indies,” 75.

⁶⁸North Callahan, *Flight From the Republic: The Tories of The American Revolution* (New York: The Bobbs-Merrill Company, Inc., 1967), 141-143.

⁶⁹Brown, “The Loyalists in the West Indies,” 75-78. The land was obtained from three sources: unoccupied lots, purchased from owners, and from French inhabitants whose property was either seized or whose leases had lapsed.

The Loyalists settled in enclaves with “blood, economic, or social ties from the colonies,” and worked diligently to establish corn, cotton, indigo, and rice crops as well as incorporating the native production of tropical fruits, sugar, and coffee.⁷⁰ The Loyalists were successful in some of their endeavors but due to soil exhaustion and natural catastrophes, their initial agricultural boom was over within the next thirty years. Other Loyalists found success in printing, politics, and additional avenues where their talents, abilities, and drive allowed them to excel in the island economy.

Some black Loyalists also settled in the islands. Life for them was not easy and many faced legal challenges to the very freedom they earned by fighting for the British during the war. Many white Loyalists did not like the idea of free people-of-color living among them, for “The disarray of the evacuations from the colonies and the existence of blacks who had earned their freedom by fighting for the British caused confusion marked by much litigation over ownership.”⁷¹ Some conniving, white Loyalists even attempted to capitalize on the situation by claiming free blacks as their slaves. To add to the problems and confusion in the Bahamas, many slaves fled and joined former black soldiers and other angry free blacks and committed “outrages” against whites in the island communities. Conditions were worse in Jamaica and Dominica where enraged blacks joined existing “Maroon” communities and raided plantations.⁷²

Regardless of where the Loyalists settled after the war, their lives were inexorably changed forever. While Great Britain lost the war and its American colonies, Loyalists lost their land, homes, friends, and, in some cases, family members. Loyalists found that their political ideologies had failed them in ways that many were unable or unwilling to face. Their fealty

76. Loyalists described the natives as “indolent” while Brown notes that they participated in agriculture and “crops at subsistence level,” 75-79.

⁷⁰Brown, “The Loyalists in the West Indies,” 81-82. Callahan, *Flight From the Republic*, 145.

⁷¹Brown, “The Loyalists in the West Indies,” 83.

came at a high price and many had no way of dealing with their new lives in exile, causing them much depression, disillusion, and hardship.

All that was left for them to do, if they had not done so already, was to apply for compensation for their loyalty and services, and hope for a generous settlement. Many received recompense but none were ever totally compensated for all of their losses.

⁷²Ibid., 82-83.

--CHAPTER SIX--
THE BOUNTY OF GOVERNMENT
Petitions and Compensation

Loyalists detailed their experiences during the war in their claims. They described how Patriots treated them, what they personally had contributed to the British military effort, and gave descriptions of the tangible or material, as well as intangible or emotional, losses which resulted from their loyalty. Many of their stories are typical of the treatment Loyalists might encounter from hostile Patriots. Others are more dramatic, demonstrating real heroism in the face of uncertainty and danger. Historian Wallace Brown warns readers to employ “a certain skepticism” when evaluating Loyalist claims, but other sources tend to bear out the genuinely desperate circumstances that many refugees endured when they finally requested government aid.¹ While keeping this in mind, the Claims Commissioners were very thorough in their investigations and did not find many blatant examples of fraud or prevarication. Loyalists provided witnesses to support the veracity of their claims. Claims follow a routine pattern and were written in an obsequious language that was typical of that period. They also furnished many examples of Loyalists’ services, ill treatment by Patriots, and economic and emotional losses due to their political affiliation with England.

To gain perspective on the claims and the political involvement of women, slaves, and people of color, it is necessary to also evaluate male claims and compare the language used, items reported as lost, values itemized, and the amount of recompense granted. Loyalist men filed claims for their own losses as well as those of their relatives. Anthony Yeldall, a Pennsylvania doctor, lost a considerable amount of property when he served under the British,

¹Wallace Brown, *The Good Americans: The Loyalists in the American Revolution*, (New York: William Morrow and Company, Inc., 1969), 150.

and “distinguish[ed] the Inhabitants [in Philadelphia] that were loyal.” The Patriots tried Yeldall as a traitor. He escaped and lived behind British lines in New York before he fled the country, only to be captured by the French as he sailed for England. The French eventually freed him and he made his way to England, where he filed for losses. Dr. Yeldall’s claim amounted to roughly 10,450 pounds. The Commissioners recognized the doctor’s loyal service, integrity, and the fact that he had to care for a spouse and five children. The Commissioners awarded Dr. Yeldall eighty pounds per year.² Such an allowance would not easily support Dr. Yeldall and his family but he was probably grateful to receive the stipend.

South Carolina Loyalist Philip Henry, who filed for losses in 1782, was a relatively wealthy man who lost thousands of acres of land, his profession, and inheritance. He was one of the fortunate Loyalists who obtained a paid position as Junior Clerk in the Irish Excise Office, so he was under less financial constraints than many of his fellow exiles. The Commissioners evaluated his claim, which amounted to 22,300 pounds, with four witnesses attesting to its correctness. Henry also supplied the Commissioners with numerous land deeds and grants. Commissioners determined that Henry deserved an 100 pounds per year allotment to provide for himself and his wife, who was living in Ireland.³ Such a stipend was generous, especially because he was young (he was thirty-three), childless, and employed.

Captain John Breen, a New York Loyalist, claimed the loss of rum, coffee, and his ship. He was further burdened by an ill wife and child in England. During the war, Captain Breen supported the British, as numerous certificates attested to his “Courage, Honesty and Zeal for the Service.”⁴ In their decision, the Commissioners granted Breen fifty pounds per year. He did not

²The Public Records of Great Britain, Series 1, *American Loyalist Claims, 1776-1831* (Exchequer and Audit Department, 1972), reels 99-100, 1-2.

³*Ibid.*, reels 99-100, 2-3.

⁴*Ibid.*, reels 99-100, 3.

own much real estate in America but his was “a very meritorious Case” verified by the positive affidavits he provided. The fact that Breen supplied a letter attesting to the fact that he was soon to be “employed in an armed Ship in the Kings Service” might also have aided his case.⁵ Such a position would benefit the empire and enable Breen to provide an income for his family, most likely keeping them off the dole and out of debt.

The Claims Commission did not always reward claims filed by military men generously. Two cases submitted through Lord Rawdon in 1783 received small compensation. Captain James McCollough from South Carolina and Captain James Hamilton of North Carolina were two such cases. Captain McCollough was in Ireland, so he permitted his case to be placed before the Claims Commission through evidence collected from a letter signed by Lord Rawdon. McCollough owned approximately 1,800 pounds worth of equity. Colonel Philips, Captain Chesney, Lord Rawdon, Lord Moria and others attested to Captain McCollough’s account, which helped his case in front of the Commissioners. They ultimately awarded the captain thirty pounds a year for his service.⁶ Captain Hamilton’s claim noted that his was a similar predicament to that of McCollough’s and his services and losses were 1,400 pounds, a smaller amount than McCollough’s but “...his property appears to be less but his Character and Loyalty are equally well attested.” Thus the Commissioners awarded Captain James Hamilton twenty-five pounds per year.⁷ These awards were more of a courtesy than any type of compensation for the work of these two men and the losses they sustained. Too often, merit was not rewarded as handsomely as position or political influence.⁸

⁵Ibid., reels 99-100, 3-4.

⁶*American Loyalist Claims*, reels 99-100, 5-6.

⁷Ibid., reels 99-100, 5-6.

⁸Claude Halstead Van Tyne, *The Loyalists in the American Revolution* (New York: Peter Smith, 1929), 260.

Some Loyalists, who served in the American military, obtained compensation from the Claims Commission. T.T. Carter from Virginia submitted his claim for the loss of goods during the American Revolution. In Williamsburg, the Whigs forced Carter to join them and he “was obliged to carry Arms about 8 months in the Rebel Army.” He did not make his escape from them until 1781, due to the concern he held for his family and retributions Patriots might make upon them in Virginia. In 1781, Carter joined the British Army, serving as a guide for the troops. General Benedict Arnold, Lieutenant Colonel Johnson, Colonel Morgan, and Lord Cornwallis all submitted testimonials of Carter’s service and work in the army.⁹ The Commissioners gave Carter an allowance of 20 pounds annually, noting that he had little real or personal property of worth and that he and his wife were not in heavy debt.¹⁰ Such an award would enable this couple, who did not have any children, to find work and get back on their feet in their new homeland, which was the purpose of the Commission.

The case of Mr. and Mrs. David Tenant¹¹ illustrated that women’s contributions were not always recognized by the Claims Commissioners when presented in conjunction with their husbands’ actions. Tenant, his wife, and three children lived in South Carolina prior to the war, where they owned 400 acres of land. His farm was well supplied and David Tenant and his wife served the British during the war. Tenant enlisted and fought in the Corps of South Carolina Loyalists and Mrs. Tenant served as a courier, conveying information, letters, and intelligence to Lord Rawdon “at the Risque of her Life.” During a battle in March of 1779, Patriots injured David Tenant’s legs and took him prisoner, keeping him incarcerated until the end of the next

⁹*American Loyalist Claims*, reels 99-100, 74. Van Tyne, *The Loyalists in the American Revolution*, 288.

¹⁰*American Loyalist Claims*, reels 99-100, 75.

¹¹In the claim, David Tenant’s wife’s name is never stated. *Ibid.*, reels 99-100, 54. Any Tory possession, from “furniture, dishes, liquors, and even the family chaise,” might be seized. Van Tyne, *The Loyalists in the American Revolution*, 276-277.

summer.¹² Such sacrifice and personal hardship certainly fell within the guidelines that Commissioners established for small grants of money.

The Tenants' losses amounted to approximately 190 pounds sterling and the couple and their two surviving children were forced to reside in England. As a result of Patriot abuse, Mr. Tenant was "lame and his Wife has assisted him by working in Gardens[,] etc." to provide for their family. Colonel Balfour provided an endorsement attesting to the Tenants' service during the war which further strengthened Tenant's claim.¹³ Although his losses were small, Tenant and his wife had demonstrated their loyalty and desire to fight for the crown, which was worthy of compensation.

Upon review of this case, the Commissioners recognized David Tenant's service and his family but made no mention of Mrs. Tenant's contributions as a courier to Lord Rawdon and the British cause, "at the Risque of her Life," during the war.¹⁴ Perhaps, since Mr. Tenant filed the claim, the Commissioners felt it unnecessary to mention Mrs. Tenant's activities because they were not factored into the final settlement, a yearly stipend of 40 pounds.¹⁵

The case of Steven Haven, Esquire of Georgia and Florida was an unusual one in that he lost a life-time appointment as a Naval Officer acquired in 1774, at the age of fourteen. His yearly salary of 300 pounds was paid to his mother, while William Brown served as his Deputy. Governor Jorge Tompson attested to the truthfulness of this claim and that the appointment was for a life term. In addition to the loss of his office, Haven owned a large amount of land in Florida, which England subsequently relinquished to the Spanish through the 1783 Treaty of Paris. Haven served in Florida's militia and also pursued a career in law prior to being forced to

¹²*American Loyalist Claims*, reels 99-100, 54.

¹³*Ibid.*, reels 99-100, 54-55.

¹⁴*Ibid.*, reel 99, 54.

¹⁵*Ibid.*, reels 99-100, 55.

leave America. The Commissioners found that his case was meritorious and granted him a yearly allowance of 50 pounds. It was within the scope of the Claims Commission to provide Loyalists with stipends for lost offices.¹⁶ Even though Haven served as a Naval Officer in Georgia, owned land in Florida, served in the military, and had a wife to provide for, he was still a very young man in 1783, at only twenty-three years of age, thus the small stipend would enable him to subsist in England until he found another job. In the Commissioners' statement, they mentioned that Mr. Haven "appears to be a sensible and genteel Man," thus demonstrating their desire to keep his compensation within his previous social status.¹⁷ Fifty pounds annually certainly would not make Haven wealthy but it would allow his family to exist until he found work.

Loyalists did not receive the full amount of their losses. Generally, compensation was less than half the actual value of the claim and was usually paid in small, yearly stipends. In fact, Mary Beth Norton, in *The British Americans: The Loyalist Exiles in England, 1774-1789* discovered that the mean payment to Loyalists was approximately thirty-seven percent of their actual petition¹⁸ These stipends were customarily token payments and many Loyalists were left destitute. The Claims Commissions would not reward Loyalists with too large an allowance, which might elevate them to a higher level than the one they occupied in America. This is evident from comments made by the Commissioners in many of the claims filed. Two examples clearly exemplify their goals. Commenting on the claim submitted by Adam Graves, who provided two credible witnesses, Mr. Joseph Galloway of Pennsylvania and Governor William Franklin of New Jersey, in addition to the service Graves and his brother George provided to the British during the war, Commissioners stated that,

¹⁶Ibid., reels 99-100, 74-75.

It appears that this Man did great and essential Service to this Country by raising a great Number of Men to support the Cause of Great Britain and that he had property sufficient for his Station in Life. It appears likewise that herein want of that Assistance which his Exertions entitle him to ask. In giving that Assistance to him we beg leave to be understood to measure it out to his Station in Life more than to his comparative merits and Sufferings because many have greater Allowances who have infinitely less merit with this Country. However[,] considering his Rank in Life and that he has at present no family to support[,] we think he may live comfortable upon 30 [pounds] a year...¹⁹

Such examples can be found in the claims of George Graves, Nicholas Andre, and many others.

In their decision for claimant Richard Davis, a Loyalist from Georgia and East Florida who served as an overseer for a planter and held two clerk positions in the Georgia government, the Commissioners stated that,

This Man was in a very low Situation in England and went out to America only two or three Years before the Troubles[,] Where (instead of suffering by the War) he got into [lucrative] Situations created by the War which he had no right at any time to have expected [due to his former status]. It appears to us that he is indebted to the War for the two Offices which he held at Savannah [, Georgia] and in our Opinion he comes with a very bad grace now the War is over to ask a Satisfaction for the Loss of those Offices.²⁰

In a similar claim, the Commissioners denied James Jeremiah Rice any compensation for his service during the war. Rice initially worked in Pennsylvania as a waiter and then operated his own tavern prior to joining the British and providing information and news for Colonel Balfour, Lord Cornwallis, Sir William Howe, and Joseph Galloway before enlisting in the Loyalist West Jersey Volunteers under Major Vandyke. The Patriots captured him during the war and treated him badly. Rice claimed that he lost no land but was never paid for his military service, to which the Commissioners responded in their decision,

¹⁷Ibid., reels 99-100, 75.

¹⁸Brown, *The Good Americans*, 189. Norton, *The British Americans*, 213-216.

¹⁹*American Loyalist Claims*, reel 100, 2.

²⁰Ibid., reel 100, 67. The claims for George Graves and Nicholas Andre can be found on reel 8, 1-13, reel 100, 1-3, and reel 109, 151.

This Man was originally in a Low Situation in America and does not pretend to any Loss of Property. We do not therefore conceive him to be injured at all by the Change of Country. He may if he pleases be a Waiter at a Tavern here or he may keep a Tavern....It has been his Misfortune that the Troubles put him for a time into the Situation of a Gentleman and he is probably unwilling to return to his former Occupation which certainly is as open to him here as it was in that Country.²¹

These comments help illustrate that the Commissioners were quite concerned with keeping Loyalists' in the same social status that they occupied in the colonies and were not willing to reward great sacrifice and service if it meant that a Loyalist was elevated to a higher rank.

The Loyalists misunderstood the purpose of the Claims Commission. Its goal was to award small stipends to loyal and deserving refugees for a limited time, until the refugees could return to their homes in America. The first commission established was temporary in nature, designed to alleviate the direst suffering amongst Loyalist residents in England. It was in essence, a "simple charitable operation to supply the minimum until they [the Loyalists] could return home [to America.]"²² The government, as well as the Loyalists, believed that a British victory was imminent. The 1778 defeat at Saratoga was the first inkling Loyalists had that the war would not end quickly and more permanent plans for their lives must be arranged. The government placed Loyalists in "existing vacancies and also developed schemes to employ them in relatively large numbers."²³ Neither the British Government nor the refugees realized that most of them would never go home. After the war, the Patriots were too hostile to allow such a large-scale return of their enemies, especially those who had fought and killed American Patriots.

²¹Ibid., reel 100, 356.

²²Ibid., 56-57.

²³Ibid., 122, 97, 103-105.

The case submitted by James Higgins demonstrated that the Commissioners did not always grant pensions or allowances to Loyalists, even those who served in the military and provided endorsements from respected military officers. Higgins was originally from Ireland and immigrated to Connecticut around 1758. Through hard work and marriage, he acquired a large tract of land. When the war began, the Whigs incarcerated him, keeping him in jail for a total of three years, during which time he was “very ill used.” When he was finally released, Higgins served in the British Army for over a year in General Benedict Arnold’s Regiment of Dragoons. He eventually made his way to England in 1782 and the next year filed for his losses. In addition to the lost land, Higgins, at the age of fifty, also was the father of three children, living in America, and was their sole provider, as their mother was dead. In this claim, Higgins requested one hundred pounds to “set himself up and support himself in his own Country [Ireland].” To certify his claim and service, he produced statements from Generals Arnold and William Tryon, and a Major Menecies that described his term in the military, good character, and release from active duty due to injuries sustained during the war. The Commissioners did not believe all of Higgins’ claim, stating that his testimonials were credible and honorable, “but all the Material part of the Case remain[s] entirely without proof notwithstanding: he was desired to produce some Certificates[,] he has [had] a Month’s time to do it and not having done it, We think him entitled to nothing from Government.”²⁴ While this may appear to be a harsh decision regarding a person who devoted service to the British cause, the Commission was duty bound to investigate all claims, regardless of how minute, and assess a fair yearly stipend until the Loyalist could return to his/her home. The Commissioners were very concerned about keeping Loyalists’ awards as low as possible and they attempted to weed out all undeserving and

²⁴Ibid., reels 99-100, 31-32.

false claims. Higgins was unable to prove his claims, thus the Commissioners decided he did not deserve any compensation.

Higgins' case was not the only one to be denied by the Commissioners. In the fall of 1783, James Sheppard from Pennsylvania filed a petition for losses and abuses. This blacksmith owned a large amount of land and livestock and claimed that he and his son joined the British in 1772. He was tarred and feathered when he refused to swear allegiance to the Patriot cause. During the war, Sheppard was injured and the British discharged him in 1781. He mentioned that he had a wife and two living children to support. Despite the abuse suffered, Sheppard furnished no testimonials to verify his account. The Commissioners even allowed him an extra thirty days in which to obtain proof of his real estate ownership, maltreatment, and military service, which he was unable to do. As a result of this failure, the Commissioners denied his claim, stating:

If this Man's Case had been in any degree established and particularly that Circumstances of his being Tarred and Feathered we should have wished to distinguish him for that Loyalty which had drawn upon him such disagreeable Consequences but having waited a Month for some Authority to justify us in making such a Report and not having obtained it, we are Obliged to proceed upon it as a Case in which no Proof can be given and therefore we are of Opinion that he has not shewn himself entitled to the Bounty of Government.²⁵

The Commissioners wanted to grant this man some recompense but could not do so without concrete proof that he had suffered as a result of his politics and service to the crown.

Mr. B. Peters, originally from Connecticut, filed for his losses in England in February of 1783. Peters served the English well as a Captain of the Marines until the Patriots captured him and he "Was tried for his Life for high Treason." Patriots sentenced him to life in prison, but Peters escaped and returned to the British. Prior to the war, he owned a business, land, and a

²⁵Ibid., reels 99-100, 49-50.

ship in Connecticut and had a wife and three children. For his service and losses, estimated at 9,000 pounds, and which Commissioners mentioned were less than his elder brother's, they granted him a yearly stipend of only fifty pounds.²⁶ This was certainly not a large grant, especially considering that Peters' family still resided in Connecticut and would most likely be joining him in England.

Mr. Frederick Gregg of North Carolina submitted a claim for losses. He owned a wealthy plantation worth approximately 20,000 pounds, sterling. He lived in England during the war, having left the colonies before the Revolution. In his absence, Patriots seized and sold his property. Initially, his friend, Mr. Palmer, submitted Gregg's case while Gregg was in Ireland. During examination of his case, Gregg traveled to London to attend the hearing and furnished a witness, Mr. Derssett, former member of North Carolina's government, to verify his loss of land, slaves, and buildings. The Commissioners did not grant Gregg a large settlement, owing to the fact that he received some money from America and they believed that sixty pounds a year for a few years would be sufficient for him to go to America and reclaim his confiscated land.²⁷ Such a statement clearly demonstrated the temporary and limited nature of the Claims Commission. Gregg would only receive a stipend until he could recover his land, then the payments would be halted because he would be in a position to provide for himself.

Any Loyalist who suffered as a result of his/her support for England was able to file a claim. Men often filed claims for women. Some elite women hired lawyers or elected to have their male relatives or friends file for them but women, usually widows, also filed on their own behalf. Captain James Kerr claimed losses as a result of his service in the Queens' Rangers during the American Revolution, as well as those of his late father-in-law, John Brown, Brown's

²⁶Ibid., reels 99-100, 30-31.

wife, Margaret, and Kerr's wife, Elizabeth Brown Kerr. Kerr utilized the concept of *feme covert* to file for his wife and mother-in-law. Kerr's claim was typical of those filed by Loyalists in that it contained the formal language of the day. He implored the Commissioners to acknowledge his and his father-in-law's services and fealty, and the terrible treatment they and their families received from Patriots. Three witnesses, Samuel Jarvis, Bernardus Lagrange, and William Smith, corroborated the information in the claim, while Mrs. Brown and Mrs. Kerr detailed the amount of property they owned, provided conveyances to prove their ownership, contributed newspaper accounts of its confiscation and sale, and described the various personal items lost or stolen during the war. The claim also detailed the wartime experiences of this family. Patriots threatened them, took Mr. Brown prisoner, and pilfered the Browns' New Jersey home as well as their dwelling on Staten Island, which was their temporary residence after fleeing to British lines of safety. Mrs. Brown initially fled to Nova Scotia and later joined her son-in-law, Captain Kerr, and her daughter, in Scotland.²⁸ Such experiences show how costly loyalty to England was for the Loyalists.

Captain Kerr, Mrs. Kerr, and Mrs. Brown listed typical and sundry items lost during the war. Kerr's claim included a slave, animals, furniture and goods, money, land, two homes, and miscellaneous items. Kerr valued his losses at approximately 2,522 pounds.²⁹ Such information demonstrates what items people considered of value, their approximate worth, and their contributions to the war effort. It also negates the supposition of Mary Beth Norton that many, if not most, women were largely domestic beings; ignorant of the values of their husbands' or families' businesses and/or land holdings. She contends in *William and Mary Quarterly* that,

²⁷Ibid., reels 99-100, 41-42.

²⁸Ibid., reels 14-16, 113-117.

²⁹Ibid., reels 14-16, 113-119.

Evidently, late eighteenth-century American men, at least those who became loyalists, did not systematically discuss matters of family finances with their wives. [And,] From that fact it may be inferred that the men—and their wives as well, perhaps—accepted the dictum that woman’s place was in the home.³⁰

In Linda Grant De Pauw’s *Founding Mothers*, she maintains that it appeared that women, who were generally apolitical and non-participants in this war, were more often Patriot supporters, and there were “fewer politically active women on the loyalist side.” Grant De Pauw also states that the largest number of women who took part during the war did so for self preservation (for themselves, their families, and property), rather than from some ideological basis.³¹ This contention ignores the active role taken by many women and minimizes their contributions to the British during the war. The very fact that so many Tory women filed claims for their loyalty and losses dispels this notion completely. The same claim might be made for many men on either side of the conflict.

In addition to the lack of social rights, women lacked other rights as well. Captain Kerr’s claim also points out the lack of legal rights women had to their property and their inability to bequeath such upon death. In the Kerr claim, Mr. Brown died intestate. Captain Kerr claimed the lost property that his wife inherited from her father and also the property she would eventually inherit upon the death of her mother. From the women’s participation in the claim, it is obvious that they accepted their situation and served as witnesses for Captain Kerr. It is a bit unusual that Mrs. Brown, Mrs. Kerr’s mother, did not personally file her own claim for her losses. Many widows did file for their losses, so it was not customary for a widow to relinquish her property to her son-in-law. One reasonable explanation may be that Mrs. Brown was aged and financially dependent upon Captain Kerr. Adding her lost property to his claim might

³⁰Mary Beth Norton, “Eighteenth-Century American Women in Peace and War: The Case of the Loyalists,” *William And Mary Quarterly*, 3d ser., 33 (1976): 394-395.

enhance the size of Kerr's settlement and help ensure that he and her daughter would continue to care for Mrs. Brown in her declining years.

Mrs. Thomas, the widow of Mr. Thomas, Superintendent of Indian Affairs³² in West Florida, also had a man file her claim, although in this case, the man was not related to the claimant. Colonel Johnson, serving as Mrs. Thomas' representative, filed her claim with the Commission. Johnson contended that Mr. Thomas's estate possessed 12,400 acres of land in West Florida worth approximately 13,574 pounds. Johnson added the losses of Thomas' daily salary and daily expense allotment, totaling twenty shillings. Johnson also included other factors; Thomas' death a year after the war began and Mrs. Thomas' belief that "the Troubles hastened his Death." The Patriots had kidnapped Mrs. Thomas and forced her to take their oath twice, and then demolished the Thomases' plantations. Colonel Johnson and Mrs. Thomas served as witnesses to this claim and upheld its accuracy.³³ Mrs. Thomas was aware of her husband's salary, holdings, and prominence in the colonies.

Sons, as well as husbands, filed for widows. Sir John Sinclair filed for lost inheritance for himself and his mother. The Sinclair family of Pennsylvania was wealthy, possessing vast tracts of land that produced income. They also owned several homes, money, and portable items, valued at about 10,000 pounds. Sir John's father, a colonial lawyer, died during his service in

³¹Linda Grant De Pauw, *Founding Mothers: Women in America in the Revolutionary Era* (Boston: Houghton Mifflin Company, 1975), 136.

³²In the claim dated February 27, 1783, Mr. Thomas' position is that of Superintendent of India Affairs, not the more familiar term of Indian Affairs. *American Loyalists Claims*, reels 99-100, 61. The claims found on reels 99-100 are abbreviated in length and generally have the Commissioners' decision following the claim. This appears to be a method used to reacquaint the Claims Committee members with each Loyalist's losses, which might have originally been filed a year or more before. The original claim can still be found elsewhere in the *American Loyalist Claims*. This information is designed to help explain the odd system of numbering found in these reels.

³³*Ibid.*, reels 99-100, 60-61.

the French and Indian War. He left his estate and 2,000 pounds to his wife and son, under direction of a guardian, Mr. Stephens.³⁴ This was a common practice.

During the war, Lady Sinclair and her son lived in Canada and London. Lady Sinclair married a Colonel Templar who supported them due to their inability to regain any of their inheritance. As proof of their claim, Sir John provided testimonials from Colonel Templar and General Tryon describing the family's wealth, property, and income. Lieutenant Governor Elliott held the deeds verifying their possession of property in America. Sir John added that Patriots destroyed several of the family's homes in New York and he believed that the Patriots seized the Sinclair real estate.³⁵ Evidence provided by Sir John demonstrated that the Sinclairs were elite Loyalists whose losses were significant and caused them great distress.

In their decision, Claims Commissioners mentioned the large amount of the real and personal estate of the Sinclairs. Lady Sinclair's previous claim for losses in America had been denied because she was not in dire want, having married Colonel Templar who supported her and her son. The Commissioners did grant Sir John, an Ensign in the British service, a yearly stipend of 100 pounds, and they noted, "We think it proper to add that we have made the Allowance to Sir John larger[,] with a Wish that Lady Sinclair may[,] in some Shape or other[,] feel the Benefit of it."³⁶ It is unknown if Sir John contributed to his mother's support.

Not all Loyalist women relied on men to file their claims. Mrs. Parker of North Carolina filed her claim in England. She was the widow of a Wilmington shopkeeper who died prior to the war. Mrs. Parker, as a feme sole, ran the business afterward until two Patriot attacks put her out of business by their sacking and looting her store of all of its stock, worth approximately 450 pounds sterling. Mrs. Parker was in distress; she "Has been used extremely ill and for a great

³⁴Ibid., reels 99-100, 58.

while had hardly Victuals to eat.” This exiled Loyalist had an adult daughter in England, and Mrs. Parker “Has supported herself since she came to England [June of 1782] by disposing of what few Goods she had and by running in[to] Debt.”³⁷ The Claims Commissioners found that the aged Mrs. Parker, who was “near 60 Years of Age,” was extremely loyal to the British during the revolution and she did lose personal property as a result of such loyalty. They awarded her 30 pounds per year.³⁸ Such an award was standard for a woman who did not actively participate in the war, was not widowed by the war, and owned little real or personal property in America. The pension would also keep Mrs. Parker in the same social position that she had occupied in the colonies prior to the war, a major concern of the Commissioners.

Widows filed for losses of their inheritances and that of their children, but a woman need not be a widow to file for her husband. Some Loyalist men worked outside of England and thus sent their wives to file in their behalf, acting or fulfilling the role of deputy husband. Such was the case with David Hodges, formerly of West Florida, who sent his wife to the Claims Commission in his absence on business.³⁹ Mr. Hodges was a plantation owner and prior to the war served in the colonial administration as “a Member of Counsel which is the highest Civil Situation in the Province.”⁴⁰ Once the troubles began, he chose to support the crown, which resulted in his loss of stature, inability to sell his property, and eventually the loss of his land. Mrs. Hodges and Mr. Bruce served as witnesses for the claim and attested to its accuracy. The Hodges had no children. Since Mr. Hodges was employed and out of the country and Mrs. Hodges was crippled, she asked Commissioners to grant her relief, “as her Husband’s Coming is

³⁵Ibid., reels 99-100, 58-59.

³⁶Ibid., reels 99-100, 59.

³⁷Ibid., reels 99-100, 60.

³⁸Ibid., reels 99-100, 61.

³⁹In the claim, David Hodges is said to be either in Jamaica or Charlestown, South Carolina. Ibid., reels 99-100, 73.

⁴⁰Ibid., reels 99-100, 73.

uncertain and she has nothing to live upon in his Absence.”⁴¹ As a Loyalist who suffered as a result of her and her husband’s politics, such a request was reasonable.

The Commissioners granted Mr. and Mrs. Hodges a recompense of only 40 pounds per year, in spite of the excellent witness provided (in the person of Mr. Bruce) and their loss of land. The Commissioners based their decision on the fact that the Patriots only tampered with and prevented the sale of a portion of the Hodges’ land, amounting to 1,000 pounds sterling. The remainder of the Hodges’ plantation holdings, “all which lay in the Province of West Florida[,]...We can take no Notice of it[, for] in the Cause of the Events of War it fell into the hands of a foreign Enemy and it is not possible for us even to put it into the Scale in forming our Opinion upon the Case... .”⁴² Such a decision was in keeping with the purpose of the Claims Commission. Since the British public was already angry about the compensation Loyalists received, every chance the Commissioners had to reduce an award reduced popular hostility.

Mrs. Sester, a shopkeeper from Charlestown, South Carolina, made a claim for lost business and property. The Commissioners found through their examination of one of Mrs. Sester’s witnesses that she “was in low Life. She represented herself as worth a very large Sum of Money but she was not able to give any proof of it.” Since she did not have a husband or children, the Commissioners awarded Mrs. Sester twenty pounds per year.⁴³ Twenty pounds might allow Mrs. Sester to supplement her living or to return to America. The Commissioners offered her either the stipend or a single, one time payment of forty pounds.⁴⁴ The latter amount would enable her to leave for America or another British colony. It was not clear which option Mrs. Sester chose, although many American Loyalists tried to return home.

⁴¹Ibid., reels 99-100, 73-74.

⁴²Ibid., reels 99-100, 74.

⁴³Ibid., reels 99-100, 43-44.

⁴⁴Ibid., reels 99-100, 44.

The case of Mrs. Bowers, a widow from Rhode Island, was similar to that of Mrs. Sester. Mrs. Bowers had no family and received a small monetary award from the Commissioners. Mr. Bowers was a successful merchant in Newport and owned warehouses and personal items worth about 400 pounds, sterling before his death in 1781. She provided a witness to verify her valuation and provided a statement that she and her husband were of good standing in their former homeland. The Commissioners took the above-mentioned information into consideration and granted Mrs. Bowers thirty pounds a year.⁴⁵ They justified such a modest award because Mrs. Bowers did not have children to provide for and owned little land in America. The fact that she lived in England two years prior to filing for losses might also indicate that this woman was not in the same dire situation as were other exiles.

Not all widows allowed men to file for their losses. Mrs. Douglas, the former Mrs. Sprowle, filed as a married woman (*feme covert*) for her losses from her deceased husband, Mr. Sprowle. This claim was unusual for several reasons; Mrs. Douglas filed it and not her current husband. Technically, as a *feme covert*, she did not exist apart from her husband and should not have been recognized by the Commission. Lord Dunmore wrote a scathing testament against this woman, attempting to discredit her and reduce her chances of gaining any compensation from her prior marriage. Mrs. Douglas was able to provide enough evidence and reliable character witnesses to negate Lord Dunmore's comments.⁴⁶

In her claim, Mrs. Douglas stated that she was the wife of the deceased Mr. Sprowle and his will bequeathed her thirty-three percent of his real estate, and fifty percent of his personal

⁴⁵Ibid., reels 99-100, 48-49.

⁴⁶Lord Dunmore believed that she did not deserve compensation because he suspected that she spied for the Americans.

estate, which amounted to approximately 21,873 pounds.⁴⁷ The Patriots sold all of Mr. Sprowle's estate and denied his wife any part of it. To corroborate her claim, Mrs. Douglas provided four witnesses; Mr. Carr, Mr. Humphrey Roberts, Mr. Randolph, and Sir James Johnson. She also furnished a copy of Mr. Sprowle's will. This evidence countered the affidavit from Lord Dunmore that Mrs. Douglas was never married to Mr. Sprowle and while onboard an English vessel "she frequently went on Shore and communicated Intelligence to the Rebels."⁴⁸

The Claims Commissioners granted Mrs. Douglas a pension of fifty pounds a year. They stated:

Perhaps there may be some Blemishes in her Moral Character; but upon the strictest Enquiry we find she was entitled to considerable Property under the Will of her husband, whose Zeal and Exertions in favor of the British Government were distinguished.⁴⁹

They did not comment on Lord Dunmore's claim that Mrs. Douglas aided the Patriots, but their observation that her reputation in America was slightly tainted most likely accounted for her small stipend.

The Claims Commission denied many claimants' request for compensation for a variety of reasons. Not all claims fell within the guidelines established for "sufferers" of the American Revolution. Some claimants did not provide adequate information and evidence to prove their losses, while others provided faulty claims that were uncovered through the Commissioners' rigorous questioning of claimants and witnesses and investigating all the information they gathered. Other claimants did not lose much property, did not provide much service, and/or

⁴⁷The figure 21,873.33 pounds was obtained from information provided in Mrs. Douglas' claim. Mr. Douglas' real estate was worth 5,620 pounds and his personal estate was estimated as worth 40,000 pounds. Taking one-third of the real estate and one-half of the personal estate and adding them together equals the final amount of Mrs. Douglas' claim of her husband's property, real and personal. Ibid., reels 99-100, 76. One further note, Mrs. Douglas filed her claim under her former married name of Mrs. Sprowle.

⁴⁸Ibid., reels 99-100, 76.

⁴⁹Ibid., reels 99-100, 77.

were young enough to start again in England or one of its colonial holdings and thus were not in dire need of financial assistance from the government.

Under the rules of the Claims Commissioners, Mrs. Davidson did not qualify as a victim of the American conflict. Mrs. Davidson was an English woman who never lived in America. Her brother, Mr. Davidson, immigrated to America and served the British navy as a pilot. Patriots captured and put Davidson to death as a traitor. Mrs. Davidson, one of Davidson's five sisters, claimed that as a result of his death, she and his family lost their inheritance. Mrs. Davidson stated that her brother was worth approximately 400 pounds but provided no evidence or witnesses to verify her story. The Commissioners denied the claim, stating, "Mr. Davidson was worth very little. She [Mrs. Davidson] is in distressed Circumstances but she does not come under the Description of an American Sufferer."⁵⁰ The Commissioners recognized that Mrs. Davidson was in need but they were not the proper authority to grant such aid. Their job was only to grant temporary allowances to Loyalists who had served the British military and suffered as a result of their political allegiance to the crown. Even many of those who did prove their cases were not guaranteed stipends: it was reserved for those in dire need, the aged, the very young, the disabled, those with large families to provide for, and those whose losses were great.

The claim filed by Mary Farmar of West Florida did not receive the desired result from the Commission due to the strict guidelines it followed when certifying and judging claims. Farmar was the widow of Major Robert Farmer, a member of the 34th Regiment. The couple immigrated to America from England prior to the start of the war and purchased a large tract of land in West Florida. The Farmars' home, land, and possessions were taken or destroyed as a result of the war. The English, under command of Lieutenant Governor Elias Durnford,

⁵⁰Ibid., reels 99-100, 78-79.

demolished the Farmers' home due to its proximity to Fort Mobile. Spanish, French and Indian soldiers/warriors looted or destroyed the remainder of their possessions. In spite of the fact that the British, for military defense, leveled Mary Farmer's home, the Commission refused to award this Loyalist and her three children any compensation for their losses. According to the Commissioners,

...it not being within the Object of this Enquiry which extends only to Persons who have suffered by the Rebels in America and indeed it is impossible upon an Principle to extend it to Persons who have suffered in their property in Consequence of a War with a foreign Enemy.⁵¹

Mrs. Farmer, in consequence of her loyalty, lost over 12,000 pounds worth of real and personal property. She was homeless, a widow, and living with her three young children in a foreign land. The Commissioners did not take into consideration that some Native Americans, the French and the Spanish were all aligned with the Patriots in their cause of ousting British authority in the American colonies of North America. They also chose to ignore the certificate of Lieutenant Governor Durnford that acknowledged that it was of military necessity to tear down Mary Farmer's home and estimated its value at approximately 600 pounds. Such a precise interpretation of war losses was unfortunate for this woman and her family.

Adult men and women were not the only Loyalists who filed claims for their losses. The memorial for Shore Stevenson, former New Jersey resident, illustrated that some children were orphaned as a result of the war. The Patriots arrested Stevenson for his Loyalist stance late in 1776. When the British Army entered New Jersey, Stevenson escaped and joined them against the Americans. As a result of his actions, the Patriots seized his estate and used it for their cause. Stevenson, who had several young children to care for, lost his property, and sought exile in England. In his claim, signed by his attorney Mr. William Taylor, Stevenson pled his case in the

language of the day, "...and having lost his [Shore Stevenson's] all by the determination of the American Rebellion, and being reduced to great distress [Stevenson] prays that you'll be enabled under your Report to receive such aid and Relief from Government as his Situation and Losses may be found to deserve."⁵² Stevenson fled the colonies and arrived in Shelburne where he soon died, leaving his son without parents. This tragedy was not isolated; there are numerous accounts of children orphaned in such a manner.

Attorney Taylor, serving as lawyer and guardian for John Stevenson, the ten year old son of Shore Stevenson, filed a claim for estimated losses totaling 3,200 pounds. Taylor served as a witness for the claimant, and provided confiscation and sale papers for Stevenson's land, home, improvements, and sawmill business. Other witnesses included John Leonard and Chrineyonce Van Mater who testified to the land owned by the claimant and his father's loyalty and service to the British during the war.⁵³ Children's claims are often very similar to those submitted by widows. They request reimbursement for losses of inheritance and the merit and service given by their late relatives, either their husbands or parents. Adults submitted claims for male and female children orphaned as a result of the war and allowances for the children's care and education varied according to the social rank their parents occupied prior to the war. Typically, the Commissioners' grants for children's claims were modest.

The Loyalist claims and the decisions reached by the Claims Commissioners help historians and students better understand the era in which this war was fought and what people contributed to the cause. The claims also illustrate the numerous sacrifices Loyalists made and how the English recognized such selflessness. The Claims Commission was established to

⁵¹Ibid., reels 99-100, 20-21.

⁵²Ibid., reels 14-16, 299.

⁵³Ibid., reels 14-16, 300. By 1786, John Stevenson lived in Middleton, England with his maternal grandfather, Mr. Mott. 301.

provide temporary aid to exiled Americans living outside the United States. The English government never intended such aid to serve as a way to fully compensate Loyalists for all of their lost property; it was a way to provide them with some money until they returned home. Joseph Galloway published *The Claim of the American Loyalists Reviewed and Maintained Upon Uncontrovertible Principles of Law and Justice*, a pamphlet designed to sway public and government positions to support compensation for exiles. In it, Galloway espoused the idea that the Loyalists were faithful to the king and government and that they served the cause “by *undaunted exertions* in the support and defence of the authority of the *Crown*, and the RIGHTS of Parliament; In consequence of which, their fortunes have been sacrificed to the national safety.”⁵⁴ As the war came to a close, the public’s sentiments concerning compensation changed and, “it was generally recognized in Great Britain that in view of the peace treaty and the hollowness of Congress’s recommendations, permanent compensation would have to be given to genuine Loyalists for losses caused ‘by the commotions of the Empire.’ “⁵⁵ Regardless, England never intended, and frankly was never able, to fully reimburse the entire amount of real and personal losses suffered by each Loyalist. The country was already in financial constraints and such a scheme would have certainly bankrupted the crown and the English government.

The Commissioners examined each claim individually and they devised a system to arrive at an amount of compensation that the government considered fair, although this amount was almost always less than fifty percent of the total aggregate of losses claimed.⁵⁶ When reading through the Commissioners’ decisions, one discovers many interesting facts. The Commissioners spent a great deal of time and energy on their task and carried it out with a

⁵⁴Joseph Galloway, *The Claim of the American Loyalists Reviewed and Maintained Upon Uncontrovertible Principles of Law and Justice* (London: G. and T. Wilkie, 1788), v. Italics and all capitals are original to the text.

⁵⁵Brown, *The Good Americans*, 180-181.

⁵⁶*Ibid.*, 181.

devotion to details and facts. They limited the amount of money awarded to any Loyalist, but many men of property, influence, and importance received the highest award possible—a yearly stipend or allowance of 500 pounds. When discussing their decision for Sir James Wright, former Governor of Georgia, the Commissioners stated just such a policy,

If we had in any one Instance thought ourselves justified in reporting an Allowance of more than 500 [pounds] a Year to any American Sufferer, we should have done it in this Case. As we consider these Allowances intended only for temporary Relief and Support, we have all along thought and continue, to think that 500 [pounds] p. Annum is a proper Limit beyond which no Case could warrant us to go, considered in that View—His [Sir James] is a Case, of the oldest of his Majesty's Governors in North America[,] of one of the largest Properties[,] and consequently of the largest Losses and as appears to us of the greatest Personal Merit.⁵⁷

Sir James' claim totaled approximately 91,658 pounds. He was a well respected colonial official, served as Georgia's Governor for over twenty years, demonstrated his loyalty, and possessed a great deal of wealth in land, agricultural products, household goods, slaves, personal effects, and other miscellany. The Commissioners did not award large numbers of men and women such high allowances.⁵⁸ On average, most Loyalists only received a fraction of their real, monetary losses. In *The British Americans: The Loyalists Exiles in England, 1774-1789*, Mary Beth Norton is probably correct when she contends that Loyalists were awarded approximately 37% of what they claimed.⁵⁹ This low return angered many exiles, who felt that the English government did not properly appreciate the losses this group endured in their effort to help England regain control over its wayward American colonists.

Regardless of all of the sacrifices, losses, and disruptions caused by their political choice, the Loyalists, whether exiled in England, Ireland, Scotland, Canada, Nova Scotia, the West Indies or elsewhere, paid a high price for their principles. At whatever age they became

⁵⁷*American Loyalist Claims*, reels 99-100, 71.

refugees, they faced the reality that they must either attempt to return to America or begin a new life outside of America. Either choice had consequences which would make their lives difficult. Returning to America was troublesome for those Loyalists whose politics and character made them true outcasts in their homeland. As early as 1777, some Loyalists found it virtually impossible to return. Samuel Quincy, in a letter to his wife remarked that, “he could not ‘bear contempt and reproach’ from his countrymen for nothing more evil than [a] difference of opinion.” Further, he declined “a very advantageous offer” of a position in America because of “the attitude of Congress toward returned refugees.”⁶⁰ American newspapers like the *Boston Gazette*, the *New Jersey Gazette*, and others were filled with hateful epithets about the prospect of Loyalists returning at the end of the war. One *New Jersey Gazette* editorial from May 5, 1783 “advised all Loyalists to quit America, and promised continued persecution, arguing that the Tories were the very cause of the outbreak and protraction of the war.” It continued, “You shewed no mercy to your country, and you will have judgment without mercy.”⁶¹ A large portion of the country held this sentiment, but some Loyalists, who had been inoffensive and did not significantly work against the Patriot cause, were able to return, although regaining their confiscated property was more problematic. After the war,

governors of the states were urged to exchange lists of the proscribed persons, that no Tory might find a resting place in the United States; and in nearly every state they were disfranchised, while in many localities they were tarred and feathered, driven from town and warned never to return. In the South where the partizan warfare had been most bitter, the Tories fled for their lives, and a few of the bolder ones who attempted to return to their homes, were warned and then attacked; eight being murdered and the rest fleeing from the country.⁶²

⁵⁸Norton, *The British Americans*, 116.

⁵⁹Ibid., 216.

⁶⁰Clifford K. Shipton, *Sibley's Harvard Graduates: Biographical Sketches of Those Who Attended Harvard College in the Classes 1751-1755* (Boston: Massachusetts Historical Society, 1965), 485.

⁶¹Brown, *The Good Americans*, 174.

⁶²Van Tyne, *The Loyalists in the American Revolution*, 295.

Generally the response awaiting Loyalists was unpleasant, causing many to doubt their ability to return to their homes in America. Americans might lynch, tar and feather, or otherwise abuse returning Tories and these exiles had no recourse or protection from the treaty ending the war.⁶³ Many Loyalists had suffered enough and simply gave up any hope of returning to America. They were resigned to their new fate, which was exile in a British colonial possession, or starting over in England, while lamenting the defeat of the British.

⁶³Wallace Brown, *The Good Americans*, 174-176.

--CONCLUSION--
AT THE END OF THE WAR
Expulsion of the Enemy

The American Revolutionary War ended the rule of England over thirteen North American colonies and a new nation was established. Prior to the war, colonists supported the British Empire and its system of government, although everyone did not wholly agree with all of Parliament's legislative and administrative dictates. The victorious Patriots chose the language that would describe their enemies in the American Revolution. Despite Patriots' portrayal of them as traitors, cowards, and dishonorable men and women, the Loyalists were Americans who deeply loved their country, their countrymen, and the land on which they established their homes, work, and families. The Patriots' use of "victors language" distorts our perception of who the Loyalists really were and how they fit into the past. Many Loyalists had been born in the colonies and never traveled to England, thus their attachment to their homeland was instinctive. They believed in the British system of governance and did not want it to end. They saw the benefits rather than the detriments of remaining within the empire, and wanted to preserve that relationship at all costs, even to the loss of their homes, property, and lives. An examination of the Loyalists gives us a better understanding of the American Revolutionary era, its people, and society. We also get a clearer picture of who Americans are today. Initially, the Loyalists were respected members of American society. Once sides were chosen, Loyalists became the enemy within, much as did rebellious slaves. Looking at how they made their political decisions during the war helps us to understand why they became labeled traitors and how Americans to the present day treat compatriots with whom they disagree.

Loyalists acknowledged the fact that the British system needed modification to adapt to the ever changing and growing colonial economy but they were unwilling to support the call for

completely severing ties with the mother country. The Patriots opposed this ideology and endeavored to dispel the notion that the empire could be repaired; they espoused the tenet that the system of Parliamentary representation and rule must end in order for America to expand to its ultimate potential. Loyalists believed just the opposite, that the country was working within its assigned role and simply needed to alter, not sever, this connection with England. I also want to change the perception that people have of the Patriots' opposition. Instead of regarding Loyalists as despicable characters who resisted independence and committed acts of sedition, this work presents the Loyalists and their stories as just another part of the American saga of independent action and courage in one's political ideology. These concepts are espoused today but not necessarily embraced any more than they were in the revolutionary era. This idea was unpopular and seen as detrimental to the cause, and thus labeled treasonous.

The Loyalists came from all ranks of society and were of many different ethnic and religious backgrounds. The one common factor was their faith in and support of England. They came to that decision for different reasons and were influenced by several factors. Many of the men and women of the elite ranks in society believed in the power England held in the world and felt secure under its mantle of protection. They saw the many benefits of English military might and the trading partnerships guaranteed by England's colonial holdings around the world. They also recognized the order, stability, and even civility that being "Englishmen" afforded their towns and communities in the colonies. The English were the freest people on the globe and Americans felt pride in England's accomplishments. Opposition to taxes did not indicate opposition to colonial dependency. Loyalists hated the disruption that rebels created in their protest of new tariffs and feared the influence of mobs on weak-minded individuals. Loyalists in the upper ranks, and colonists such as Jonathan Boucher, Joseph Galloway, and Thomas

Hutchinson, believed in the system but recognized its flaws. The elites wanted to amend it, not simply maintain the status quo. Ironically, some Loyalists did want change in the existing colonial relationship but not the same types of changes as Patriots. Although they were willing to modify their relationship with England, Patriots wanted a complete break with the old system and would not tolerate any dissension or disparity in the political arena. Dissension would compete with their political message and might dilute their war effort. The Patriots knew that in order to obtain victory over England, all Americans would have to support their beliefs.

Men and women in all ranks of society believed in the British system. They feared the lawlessness and violence that Patriots inflicted upon their enemies for their differing political ideology. Opposition to independence was a political choice that stemmed from many factors and ultimately imposed negative consequences on its adherents. The Patriots used numerous intimidation and terror tactics to sway convictions and stifle their enemies' dissent, including arrest and imprisonment, banishment, confiscation of real and personal property, incarceration of children, tarring and feathering, rail riding, riots, conflagration of effigies, homes, farms and plantations, looting and pillaging of homes and businesses, forced billeting of soldiers, and seizure of weapons and papers. Such activities were often carried out under the cover of darkness, by mobs significantly outnumbering their intended victims, and with predictable consequences: fear, submission, change of beliefs, flight, physical and economic debilitation, and death. No one was spared from the violence as Patriots took great delight in Loyalists' misery and despair. Such strategies were extreme but successful.

The Loyalists who remained faithful to their political choices were resolute and courageous adherents to the monarchy who chose to continue in their relationship with king and country. The claims they filed for compensation document the lives, lifestyles, work, economic

status, relationships, and ideology of people who might not have otherwise left many records. Women described their homes, husbands, children, and their contributions to the war. We learn that some previously retiring women participated in the war, and actively contributed to the Loyalist cause while their husbands, brothers, fathers, and sons were away. These women operated the farms, plantations and businesses, gave comfort to British soldiers, took care of their families, and eagerly awaited peace. Many lamented the treatment they received from Patriots: their imprisonment, conditions in jail, and dealing with their jailers. Others performed even more dauntless acts of bravery serving as spies, couriers, guides, and suppliers. They hid British soldiers and Loyalists, as well as carrying out the more domestic and stereotypical work of cooking, laundry, and nursing, typically performed by camp followers in war. Men in the lower ranks also participated, but their choices, just like their female and black counterparts, were political ones, which they technically had no right or ability to make. Such action was not acceptable, especially when it was in direct opposition to the Patriots' war effort.

Through the evidence left in the claims as well as newspaper accounts, diaries, letters, and other documents, these men and women describe their activities in simple, plain language. We get first-hand knowledge of the trials and sorrows they encountered while the war raged in America. Also, we are able to obtain a better understanding of what self-sufficient and independent women did in the colonies prior to the war. When the war began, these women asserted themselves and felt comfortable stepping beyond the constraining bounds of their gender. Such activity points to their desire to have a more involved and substantive role in society as contributors, not simply remaining in the roles that men had devised for them. It also points to the later women's movement that emerged in American society in the mid-1820s and continues to the current day. Social liberation, during the American Revolution, was expressed

through the accomplishment of political and military activities for Loyalist women acting as spies, camp followers, and the like. Patriots opposed this new role and thus terrorized such women in an attempt to get them to change their activities or leave the country. This blind support of the American cause is still with us today. Evidence of it can be found in the debate regarding the war in Iraq as those Americans who oppose the current administration's activities are labeled traitors. People are expected to support the troops and the President or risk the rebuke of those who favor war.

When looking at the claims filed by African-American blacks and slaves, similar items, such as possessions, service, and status, to those pertaining to colonial women are uncovered. By examining this group of claims, and evaluating testimony from witnesses and affidavits, and the responses of the Commissioners, we get a better understanding of the social relationships that existed between blacks and whites. Such a picture is not completely negative: accounts from British and Loyalist officers demonstrate that black soldiers fought bravely, were courageous under difficult circumstances, and participated in the war completely. However, some testimony is not so glowing, reflecting the existing tension between the races. This apprehension is also found later in history, in the relationship between blacks and whites during the American Civil War, World Wars I and II, and Vietnam, and in many issues to the present day. Relations between blacks and whites have been fraught with emotion, mistrust, and abuse. The very need for a Civil Rights Movement in the 1950s and 1960s demonstrates that little had changed in regard to how whites regarded black people in society and white society's inability to change without a dramatic and violent jolt. Blacks asserted themselves during the American Revolution and pushed for a more significant and important role in society and they have continued that movement in the years that followed. After the war for American independence, slavery

remained entrenched in the south, while it died out in the north due to economic and ideological changes in society. Even though slavery did not exist in the north, discrimination and racism were rampant and remain until this day.

The law in the colonial and revolutionary era discriminated against people of color and lower ranking men and women. Women were able to work within, and sometimes outside of, the existing system to gain some rights associated with inheritance and business ownership. Such a change indicated that men were being harmed in the current application of laws, not that male-dominated society realized its injustice toward women and thus revised its ways. Men's inheritance, passed on to daughters and sons might be jeopardized by marriage, so men changed the laws over time. Later, by the 1830s, women themselves, along with a few enlightened men, lobbied for better and more equitable laws regarding women and their property rights. The case could also be made that those women who lost their fortunes, and whose husbands fled, became dependent on the community, thus revision of the laws saved money for men in society.

Although women made some progress and were able to skirt acceptable conventions of the day, they were not considered equal to men, and married women, in the colonial era, were generally not recognized as legal entities in court. Married women were also presumed to ally themselves blindly with their husbands' politics, regardless of their own feelings and beliefs. During the American Revolution, some women did agree with their husbands about the war, while others weighed the evidence for themselves and arrived at similar or disparate conclusions regarding with whom to side. Women's contributions to the war were significant and demonstrated their desire to participate fully, regardless of the fact that many in society thought that married women were incapable of making sound, independent, political decisions. The fact that many women acted in favor of the king and made personal, financial, and potentially

dangerous decisions regarding their active aid during the war demonstrates that they clearly knew what ramifications their actions might entail and were willing to risk physical harm in support of the Loyalist cause.

African-Americans made sacrifices as well during the American Revolution. Society considered that they, like women, were unable to make sound decisions regarding politics and in most other areas of life. This incorrect belief remained entrenched in parts of American society up through the twentieth-century. African-Americans faced discrimination in colonial society but managed to see beyond it to the freedom offered by the British for their aid during the conflict. Although not all blacks sided with the British, and some only did so after serving, voluntarily or by force, in the American forces, those who fought, worked, and filed claims made significant contributions to the British cause. Similar to women's position in society, many laws in effect in America discriminated against African-Americans. In spite of such treatment, some free blacks were able to own their own businesses, homes, and other possessions. Some married and took advantage of the law of *feme covert* to accumulate property and estates, as illustrated in chapter three in the case of Samuel Burke, who acquired land through marriage. Others inherited land from their parents or acquired their own land through hard work and savings. Not all colonies/states forbade blacks from owning property, although laws also did not always protect their property from whites' litigation and legal challenges. Once the war ended, some states treated blacks very unfairly, perpetuating the injustices that they could expect to meet with for decades to come.

The Patriots and their society treated women hypocritically during the war. Sometimes women were considered helpless, unintelligent, and unable to make sound decisions. At other times, they were treated as crafty, wise, and able contributors to the war effort in traditional, and

non-traditional ways. They contributed money, aided in hiding soldiers, petitioned for kind treatment, and served as spies and couriers. Patriots believed wives shared their husbands' political allegiance. At other times, Patriots expected women to deny their economic and social dependence on their husbands or fathers and side with the Americans. White, male society contended that women did not have sound minds and thus could not make political decisions. Why then should they be held accountable for acts they committed for the enemy? Sometimes women, when first caught, were only warned or jailed for a short time. The second or third time caught, they were often punished more severely. Why? Frustration, abuse of power, gender abuse? Although spying was not a gender-specific activity, perhaps men saw women spies as stepping into the male gendered areas—war and politics—and thus punished them to dissuade further help to the enemy and also to make women go back into their domestic sphere. Regardless of their reasons, after the war, society reasserted the behavior deemed most appropriate for women and no immediate change was seen in the treatment and role of American women. Similar to women, Loyalists were treated differently than others in the war. The stories of Loyalist refugees reflect gender roles and social restraints during the war and show how quickly they reverted to type after the conflict was over. Such a reversion demonstrates that the war was fought for political and economic independence from England and not to affect social and political change for women and blacks. Many men, previously disenfranchised prior to the war, actually benefited after the war. Patriots sold confiscated Loyalists land which brought the vote to hundreds of previously disenfranchised men in America.

During the war, lower ranking people did not possess political power, and society at large expected them to remain within their predetermined sphere(s) and act in accordance with the rules established by their social and economic betters. Perhaps that is the larger lesson; such

people did not negate their own personal worth, they did not doubt their feelings regarding the war, and they valued their abilities to contribute to the war effort in real ways. Such people were minorities in American society but their assistance to the British was real and helpful. The British ultimately lost the war, but the Loyalists lost everything. They were considered traitors by their fellow Americans, were despised for their inability to win by the British public, and left destitute by the very ideologies that they held so dear. Even while losing their possessions, families, and friends, their determination to defend their beliefs was their most important contribution to the war effort. The story of the Loyalists is one of tragedy, death, and loss, but by studying them we discover that it is also one of courage, determination, and pride. They, too, are part of the American Revolution; Americans who simply sided with a mighty power that was not sufficiently committed to the war to win. Perhaps the Loyalists were trying to hold on to the past system of governance while the Patriots forged ahead, ready for change regardless of its consequences. The Loyalists did not see the Patriots' version of the future as one that they could support, and in the end, they left or were driven out of America and would live out the remainder of their lives under British rule. How should we ultimately regard the Loyalists? They might like to be remembered as people with strength and ideals and the courage to make a difficult and unpopular political decision.

Change is often opposed and disliked. People become accustomed to the status quo and resist altering it, even if the end result is beneficial. Perhaps that was part of the revolutionary fervor directed against the Loyalists. True, they did not change their political allegiance as did the Patriots, but they did change their positions in society. Women, as a result of the chaos that the war brought, stepped beyond their traditional role, and became more visible in society and politics. The same was true for African-Americans and the lower ranks of men in American

society. Prior to the war, these people lacked power and lived within their place in society. Once the war began, they shed their mantle of subservience to their social and economic betters and asserted themselves. Those Patriots in charge could not tolerate this. They targeted Loyalists for abuse and retribution. After the war, they made a concerted effort to put those people, lower ranking men and women, as well as slaves and African-Americans, back into their place. The concept of Republican Motherhood took over to emphasize women's roles as wives and mothers and slavery continued in the south. (This type of activity also occurred during the English Civil War of the 1640s. Lower ranking people in society espoused radical ideas such as universal suffrage and once the war ended and order was restored, they were pushed back into their "proper" place in society.) Thus, the American Revolution was not necessarily a social revolution¹, it was merely a civil war that changed the relationship between England and America but kept entrenched the previously accepted social structure of society and the relationship between the genders and the races.

Loyalists were the minority during the war. They held unpopular beliefs and thus could easily be targeted. To label them traitors was a successful way to separate and alienate them from the larger group who supported independence. This type of propaganda was useful and has continued to be utilized throughout American history. The Loyalists opposed the "more godly" Patriots and thus were linked with opposing God. The same is true for those who supported the South during the Civil War. Abolitionists adopted religious phraseology to describe the injustice that slavery imposed upon society and thus slave owners were aligned with sin and ungodliness. During the Spanish-American War, the same argument could be used against the Catholic enemy, Spain. The Cuban people were seen as victims in need of salvation.

¹The revolution did redistribute land to those who had not owned it previously but the division and sale of

Propaganda continued in other wars with similar results. Those in the minority, regardless of their ideology, were branded as enemies and traitors. African-American soldiers during World Wars I and II espoused better treatment and a more substantial role in the military and in the work place as they supported the American war effort. Women also supported the wars. During WWI they pitched in and worked in the war industry, freeing able-bodied men to fight overseas. As a result, many contend that the American public granted women the right to vote afterward. Their struggle to enter into the work force on an equal footing after the Second World War was more problematic and took longer to achieve. Another pivotal event of WWII was the internment of Japanese-Americans. The larger, occidental population feared those with oriental features and ancestry and imprisoned them, (primarily the Japanese but people of Chinese descent were also targeted by some ignorant people), for several years of the war. Americans of Italian and German origin were also suspect, but to a much smaller degree. Such fear indicates that Americans suspected a “fifth-column” within their society and they wished to stifle its ability to sabotage the war effort on American soil. There was never any evidence that immigrant Japanese people, as well as first and second generation Japanese-Americans, were anything but loyal and supportive of the American war effort, but such facts got in the way of the propaganda and hysteria of the era.

Such fears and confrontations also continued in other social relationships and struggles. During the women’s rights movement of the 1960s, those men and women supporting women’s liberation were branded with all types of negative appellations, and rumors and lies were spread regarding the resulting changes that would occur if the Equal Rights Amendment were passed. Those opposing the Civil Rights Movement and its leaders spread the same types of cant. This

confiscated of loyalists’ property. In this way, it might be described as a social revolution which elevated many

also occurred after our most recent tragedy on September 11, 2001 when terrorists attacked several buildings on American soil. The larger American public labeled those considered “different” or “other” as suspect and encouraged law enforcement to arrest and imprison them. People with Arab features and Muslim dress were indiscriminately attacked and accused without cause. It was a fearful reaction, one in which the “enemy within,” regardless of any proof, was labeled, sentenced, and attacked, verbally and sometimes physically.

Once people imbue a cause with religious, emotive, or fanatical rhetoric, it is easy and extremely useful to label the opposition as evil, immoral, and treasonous. This was done during the American Revolution and continues to be done as an effective method of propaganda in all types of struggles in society and politics up through the present day. It most likely stems from many factors; fear of others, especially those from different countries, American dedication and passionate support for a cause, and a desire to win at any cost. The slogans “my country, right or wrong” and “America, love it or leave it” are still used to stifle criticism of public policy. The Patriots also espoused such sentiments and told the Loyalists to either change their political allegiance or leave the country. Many did just that.

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