Those “Inimical to the American Cause”: Loyalists in New Hampshire during the American Revolution

by

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Class of 2010

A thesis submitted to the faculty of Wesleyan University in partial fulfillment of the requirements for the Degree of Bachelor of Arts with Departmental Honors in History
# Table of Contents

Acknowledgements 3

A Note on Terms, Spelling, and Abbreviations 6

Introduction 8

Chapter One: A New Political Reality 19

Chapter Two: The “Cause of Liberty” the Imprisonment of Loyalists 52

Chapter Three: “the Cries of my Wife and Sufforing Babes” 69

Conclusion: Loyalist or Not? 102

Bibliography 113
Acknowledgements

“Research, of course, is no substitute for wisdom. The sum of a million facts is not the truth,” wrote William Manchester in *The Death of a President*. He was right: research and facts cannot replace wisdom and truth. This is why budding historians need help—and lots of it—to combine their research and their ideas into an original thesis that hopefully grasps at the smallest bit of wisdom and truth.

The kind and knowledgeable staff members of the New Hampshire State Archives deserve my ultimate praise and appreciation for their help with this project. I especially valued the advice and guidance I received from my many conversations with State Archivist Dr. Frank Mevers, whose willingness to help was unwavering. Brian Nelson and Benoit Shoja were generous with their time and patience when I needed help finding a source or could not decipher the eighteenth century script.

The staff at the New Hampshire Historical Society, and particularly Bill Copeley, was repeatedly helpful during my frequent trips. The staff at the Massachusetts Historical Society was supportive, too, especially for a first-time researcher in their facility.

At Wesleyan, my love for history has grown under the instruction of Professor Eudell and Professor Swinehart, and my thanks must be extended to them for assistance with this project. Advice from Professor Hill, Professor Shaw, and Professor Fullilove was also helpful, and I am thankful for the help they provided.

During the Spring of 2010, I was a Student Fellow at the Center for the Humanities, and I would like to thank the faculty, staff, and the three other student
fellows for their help, encouragement, and guidance. My conversations with Professor Potter, Professor Bachner, and Professor Winter were particularly helpful.

A much needed thank you must be delivered to my friends and classmates at Wesleyan for their support. Jeff Stein deserves a special mention for his help with the bibliography. My fellow history majors and other close friends deserve recognition for their encouragement.

Vin Broderick, a friend and mentor, must also be thanked for his consistent willingness to help. His critical eye and helpful comments were, as they have always been, essential to this work.

Stephen Thomas at the New Hampshire State Archives deserves special recognition for his persistent desire to help in any way he could during the summer of 2009. No request was too large to fulfill, including the ones that came in the last week before this thesis was due. I looked forward each day to our conversations about history and anything else that was on our minds. I am grateful for his support and generous spirit.

St Augustine once wrote, “Patience is the companion of wisdom.” These words could not resonate any louder than for my advisor, Professor Magda Teter. In both time and space, her academic expertise is far from the American Revolution, but a great scholar, advisor, and a person who loves history can work with any topic. From our first conversation in the spring of 2009, I have been grateful for her willingness to advise this thesis. I have appreciated her constant determination to make this project better and to consistently ask “so what?” at every meeting. I hope she learned as much about loyalism during the American Revolution from me as I
learned about editing writing well from her. I cannot say thank you enough times, but I shall begin now: “Thank you.”

My family’s support throughout my Wesleyan career, and for many years before, has been unwavering, and their excitement about this project sometimes even surpassed my own. Their encouragement throughout, especially as the due date approached, was the kind of help only family can offer.
A Note on Terms, Spelling, and Abbreviations

In the myriad of scholarship on the American Revolution, conventions on terms have yet to be standardized. I have chosen to use the terms “revolutionary” to name those who rebelled against the British Empire, and “loyalist” for those who did not support the revolutionaries’ cause. Since many of the historical actors in this work were only accused and not convicted while in prison, I have chosen to label them “accused loyalists” or, simply, “prisoners.”

The term “Committee of Safety” refers to the body created by the New Hampshire General Court in May 1775 that sat in Exeter until 1784. If the Committee of Safety for a town is mentioned, the capitalization remains. Only if numerous committees are named does the term become “committees of safety.”

I have chosen to keep all original spelling from the primary sources. With no conventions on spelling and words written based on phonetics, some words are wholly unrecognizable at first glance. For example, “contere” is “country”; “thretning” is “threatening”; and “pregedis” is “prejudice.” Even the same author may have spelled the same word two different ways. I tried to indicate a more familiar spelling of particular words if, at first glance, the word is unrecognizable or appears to be a transcription error. With that said, any errors in transcription are my own.

In accordance with the standardized symbols for repositories, most of the following abbreviations will be used in the footnotes to denote which archive a source is located. The rest of the abbreviations are shortened forms of particular sources with long titles.
## Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>“Petitions”</td>
<td>“General Court Records – Petitions”</td>
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<tr>
<td>MHi</td>
<td>Massachusetts Historical Society, Boston, M.A.</td>
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<tr>
<td>Nh</td>
<td>New Hampshire State Library, Concord, N.H.</td>
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<tr>
<td>Nh-Ar</td>
<td>New Hampshire Department of Administration and Control, Division of Archives and Records Management, Concord, N.H.</td>
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Introduction

During the spring of 1777, Colonel Stephen Holland was “suspected of treasonable practices against the States,” most probably counterfeiting currency, and after being captured in Boston, Massachusetts he was brought to the Exeter prison in New Hampshire.\(^1\) A resident of Londonderry, New Hampshire, Holland had once been a Justice of the Peace, a representative to the New Hampshire General Court, and an innkeeper where most of the local, civic business occurred for his town.\(^2\) He now sat in a cell awaiting news of his fate. According to the advertisements for his capture after he twice escaped from prison, Holland “was born in Ireland, is of a middle Stature, rather fleshy, of a ruddy comely Countenance, and about forty-five years of age.”\(^3\) He was “a well looking Man—light Complexion—middle aged—fleshy—pitted with the Small-Pox—about five Feel eight Inches high—and wears a Wig.”\(^4\)

On July 19, 1777, Holland along with nine other prisoners, all New Hampshire residents, including Jonathan Gove, William Vance, and John Molony, were suspected of loyalism and imprisoned. Writing to the Committee of Safety to protest their imprisonment, they lamented that: “Our Characters have been Maligned & Reprobated by every person who was happily possessed of ignorance of malice enough to delight in such an Employment. All the good, even every alleviating

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3 *Freeman’s Journal*, May 24, 1777, issue 53, p. 2

4 *NH Gazette*, March 17, 1778, v. 1, iss. 5, p. 4.
Circumstance in our favour have been buried in unfathomable oblivion, while Enthusiasm & Suspicion have gone hand in hand, in Stirring up and propagating with unrelenting malice, every species of infamous falsehood that could be the offspring of the conjunction, of such giddy headed & envenomed monsters, whose breath is sufficient to poison & blast with Ruine, not a few individuals only, but whole empires.”

In the same way the revolutionaries sought a universal appeal, the accused loyalists, too, brought their plight to the level of empires, not just individuals. The prisoners believed that the revolutionaries’ vision and the zeal by which it was being implemented would force the destruction of New Hampshire society, and would, in turn, also destroy the British Empire. For these prisoners, the “Enthusiasm,” as exhibited by the revolutionary leaders and their supporters, went “hand in hand” with a certain hostile “Suspicion” and “malice.” As a result of their imprisonment, these prisoners were consumed by similar “Enthusiasm” and “malice,” as well, against the revolutionaries.

During the confusion of the era of the American Revolution, when revolutionaries usurped the royal government and set forth to establish their own political establishment, the search and desire for order was sought by both loyalists and the revolutionaries. To eliminate dangerous obstacles and threatening forces to their cause, the revolutionaries sought to fashion a community free of influences that would disrupt and corrupt their vision. To this end, a series of legislative acts—namely, the Association Test (1776), an act to imprison “Dangerous Persons” (January 1777), the Confiscation Act (November 1777), and the Proscription Act

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7 Stephen Holland et. al. to Committee of Safety, July 19, 1777, “Petitions July 1776-1777,” Nh-Ar.
were implemented through the state and local committees of safety early in the war. As historian Gordon Wood has noted, the revolutionaries were “trying to destroy the ligaments of the older society and to reknit the people together in new ways.”

Reactions to this effort were mixed. The local committees of safety used various tools of surveillance to find and capture suspected loyalists. The process by which suspected loyalists were accused, captured, and imprisoned demonstrates the extent to which members of the same community turned against one another. The cases of both Breed Batchelder and James McMaster, two New Hampshire citizens who were investigated at length for their ties to loyalism, present two opportunities to understand the process of capture and interrogation by the revolutionaries. Their cases illustrate the extensive role communities and close relationships had in this process.

Once imprisoned, the suspected loyalists sent petitions to the Committee of Safety and General Court requesting their release. The prisoners’ desire for liberty and their insistence to be allowed to return to their families were the two prominent arguments. In a community controlled by the revolutionaries, prisoners put forth arguments that would convince the revolutionaries to release them. Holland, Gove, Vance, Molony, and the others pressed the Committee of Safety to understand that they were “persons deprived of all they held dear to them at one stroke their personal liberty & security gone, their property perishing, their health in perpetual danger Robed of every Social enjoyment, their Characters torn with more than a Viper’s fury, their wives widows and their children Fatherless.”

Clearly expressing their

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9 Stephen Holland et. al. to Committee of Safety, July 19, 1777, “Petitions July 1776-1777,” Nh-Ar.
confusion and alarm about their current situation, this petition presents the example
par excellence of petitions from prisoners suspected of loyalism in New Hampshire.
In a single sentence, these petitioners captured the main arguments put forth by their
fellow prisoners throughout the war. The unfair treatment by the new state
authorities, their individual struggle for liberty, and the distress of their families were
the central concerns the prisoners expressed to the Committee of Safety and General
Court in their requests to be released from jail.

In the context of the American Revolution, “true liberty” was at stake for both
revolutionary and accused loyalist.\textsuperscript{10} In their requests to be released from prison, the
petitioners engaged with liberty’s concrete and figurative meanings: they framed
liberty as the ability to leave their cell and in the rhetoric of natural rights indicative
of this period. It is not surprising that these prisoners were using the term “liberty” to
request to be released, but taken collectively the petitions show how the accused
loyalists used the language of the Revolution to support their own cause.

In these petitions, the emphasis the accused loyalists placed on the plight of
their families was significant. The language of family was more widespread than the
language of the Revolution. These prisoners were overwhelmingly husbands and
fathers, and as mostly heads of households, they yearned to be home to take care of
their neglected businesses and distressed families. The petitioners went to great
lengths to discuss the various ills that had fallen upon their families, and used these
stories to insist upon the necessity of their release.

The stress on the family in these petitions illustrates the emotional interplay
between family and war. The personal, emotive aspects of these petitions are seen

\textsuperscript{10} \textit{NH Gazette}, August 29, 1775, v. xix., iss. 984., p. 1.
with the mentioning of tears and with male prisoners’ emotional descriptions of the
grief that had befallen their families. In general, these characteristics can be related to
the broader issue of sensibility and its features during a war.\textsuperscript{11}

Family and community members of the prisoners also sent petitions to the
revolutionary leaders. While the family members sought the release of the prisoners,
not all community members desired that the prisoners to be released. Some
community members insisted that certain individuals be kept in jail or not be allowed
to return to their homes since they were a threat to the order and safety of the
community. Taken together, the petitions from husbands, wives, and community
members illustrate the hardships many of these families and communities
encountered. While the manner in which the prisoners employed the rhetoric of the
family in their petitions varied, the near universality of the inclusion of the family
demonstrates both its importance to the individual prisoner and its perceived
usefulness as an argument to convince the revolutionary leaders. In these petitions
from prisoners, their families, and their neighbors, the mentioning of family was more
than a mere formula; instead, it grasped at the real-life troubles these historical actors
faced.

Following the work of Natalie Davis, the petitions as an archival source
deserve attention and explanation.\textsuperscript{12} The petitioners were white males with property,
although the size of their estates varied, and many had numerous children. In regards
to authorship, it is impossible to know if the name in the introduction of the petition
was the same person who signed it, especially if the handwriting between the body of

\textsuperscript{11} "The history of the American Revolution is in part a history of sensibility" (Sarah Knott, \textit{Sensibility \and the American Revolution} (Chapel Hill: University of North Carolina Press, 2009), 4).

\textsuperscript{12} Natalie Davis, \textit{Fiction in the Archives} (Stanford: Stanford University Press, 1987).
the text and signature does not match.\textsuperscript{13} When the signature and text are different, one must not question the value of that petition as a source. The purpose is to understand the arguments presented, and whether the petition was created—intellectually and mechanically—by a prisoner or a scribe is inconsequential. The question of collusion amongst the prisoners is not a mystery: many of the petitions were signed by multiple individuals, and when Holland escaped prison he was aided by his fellow prisoners. The sources of the parchment and ink for these petitions are unknown. No petitioner requested from the Committee of Safety more writing supplies, although they did request for firewood, which probably means that the prisoners had to use their own supplies or were offered some by their fellow prisoners. The petitioners never mention a lawyer who was assisting them, nor was a prisoner’s petition co-signed by an attorney, and scholarship has not indicated any such aid either. In all, certain arguments were presented in these petitions based on their perceived effectiveness. Throughout the war, the types of arguments did not change, which is important to acknowledge in order to gather if the prisoners believed the revolutionaries to be favoring certain types of petitions in the beginning.

By the conclusion of the war in 1783, the prisoners had either been released or had escaped. Forty-nine individuals who had left New Hampshire, either before the war commenced or as a result of the Proscription Act of 1779, petitioned the British Commission for Payment of American Loyalists to pay them for the estates that were taken from them. In the application process, each petitioner declared their allegiance to the British Crown. Many of these individuals during the war period, however,

\textsuperscript{13} For example, see “Jerry Weaver” to Committee of Safety, March 18, 1777, “Prisoners from New York,” “Petitions: July 1776-1777,” Nh-Ar). A “Jury Weaver” is listed in \textit{NHSP}, VIII, 382 and the signature at the end of the petition is “Ghangorg Weber.”
wrote to the revolutionaries that they were full supporters of the revolutionary cause. While it is not surprising that the petitioners would tell one committee one thing and another committee the opposite, especially based on the missions of these two committees, what is important is how the loyalists refashioned themselves depending on what they needed and which political body was going to give it to them.

The laborious process to locate and to imprison suspected loyalists was not easily implemented by the revolutionaries. From the beginning of the war, the legality and jurisdiction of the local committees of safety were questioned. The efforts of the local revolutionaries to capture suspected loyalists included horse chases and listening to curses hurled one after another.\textsuperscript{14} Using petitions from the local committees of safety to the Committee of Safety, depositions, and numerous other records from revolutionaries who tracked down suspected loyalists, it is evident that revolutionary and loyalist alike experienced a range of difficulties in the beginning years of the American Revolution.

The joy—and difficulty—of grappling with the American Revolution is the volume of scholarship that has been produced for more than two centuries. Studies of the revolutionaries to the loyalists; of the experiences of women in New England to the plantation slave; and of the trans-Atlantic perspective to the individual microhistory have all been undertaken. To examine the historiography of the American Revolution is to attempt to grasp the changes in the American historical profession and the forces that have shaped historians’ ever-changing perceptions and

\textsuperscript{14} See the case of Breed Batchelder in chapter one.
conclusions about this topic.¹⁵ Two hundred thirty-five years since the New Hampshire Committee of Safety was created, there are still new sources that have yet to be used to build upon the historiography to achieve a new understanding contrast between revolutionary and loyalist.¹⁶

The contrast between revolutionary and loyalist needs revision. While the distinction is still useful, when discussing the experience of the loyalists, understanding the ways in which they and the revolutionaries existed in the same cultural space is crucial because the loyalists by putting forth particular arguments in their petitions were aware of this relationship.¹⁷ These petitions confirm that the loyalists and revolutionaries lived in a shared world. The framework for which loyalists are studied during the American Revolution must take into account the greater community, which was ultimately fashioned by the revolutionaries. As historian Drew McCoy has noted, the eighteenth-century was “a world of ideas with


¹⁷ Judith L. Van Buskirk’s book *Generous Enemies* seeks to show how the close relationship revolutionaries and loyalists had in New York. While she examines how the two sides “learned to survive on their own terms,” this thesis seeks to show how the loyalists engaged the revolutionaries on shared terms (Judith L. Van Buskirk, *Patriots and Loyalists in Revolutionary New York* (Philadelphia: University of Pennsylvania Press, 2002), 2.)
its own peculiar vocabulary, conceptual framework, and emotional context.”\footnote{18} Even though the revolutionaries took the first step and created a new political reality in middle of 1775, the vocabulary, framework, and context of this period were produced and shared by both the revolutionaries and loyalists.\footnote{19}

Because revolutionary and loyalist had occupied the same cultural space, the hard and fast distinctions between them are typically noted in scholarship. There is no doubt that there were political differences between these two groups at the time of the Revolution and thereafter. Yet, their decision may not have been motivated by politics: if an individual was not a loyalist before being imprisoned by the revolutionaries, their experience in prison may have led them to join the loyalists’ effort.

In their July 19, 1777, petition, Holland and the other signatories declared: “Surely we have deserved a better fate.”\footnote{20} In the past century, historians who have examined loyalism and loyalists throughout the thirteen colonies embraced that plea and have attempted to reclaim and rehabilitate the loyalists from the depths and margins where they were placed by the revolutionaries and many historians of the Revolution.\footnote{21} Only recently have scholars looked to define loyalists in a manner “that does not reinscribe their marginality” and “sketch out a definition of loyalism that is
not inherently prejudicial” to either revolutionary or loyalist.\textsuperscript{22} Another such way to understand the contrast between revolutionary and loyalists is to first understand how they occupied of the same cultural space, and then attempt to understand how the loyalists fashioned their petitions using their shared vocabulary and values.

An emphasis on the local towns and the contest between revolutionaries and loyalists that were staged in these locations illustrates the ways in which the American Revolution was arduous for both revolutionary and loyalist as they both operated within the new political reality created at the beginning of the American Revolution.

These petitions from New Hampshire prisoners have remained largely untouched by historians, and while the claims by former New Hampshire residents to the British commissioners have been explored before by numerous authors, the connection between these claims and earlier evidence from the Revolution, like the petitions the same individuals wrote while in prison, is largely an uncharted pursuit.\textsuperscript{23} The introduction of unused and under-used sources into the study of the American Revolution has allowed for a re-examination of the relationship between revolutionary and loyalist. A more nuanced understanding of loyalism is also gathered by examining how certain individuals fashioned their allegiance based on what they perceived the members of the Committee of Safety and the British Commission wanted to read in their petitions.

\textsuperscript{22} Edward Larkin, “What is a Loyalist?,” \textit{Common-Place} 8, no. 1 (2007) \url{http://www.common-place.org/vol-08/no-01/larkin/}.

One of the biggest troubles in the study of the American Revolution is the labeling of loyalists. By examining the ways in which accused loyalists fashioned their own experiences and identities, a more complex understanding of the nature of loyalism during the American Revolution can be achieved.
Chapter One: A New Political Reality

On May 26, 1775, a little over a month after the famous shots were fired at Lexington and Concord, Massachusetts, the New Hampshire General Court created the Committee of Safety to secure, among many other instructions, “under their consideration all matters in which the welfare of this Province in the security of their Rights shall be concerned…and take the utmost care that the Publick sustain no damage.” Given broad orders and powers, the Committee of Safety was responsible for seeing to “whatever plans have been determen’d upon by the Congress, to be immediately carried into Execution, which have not been entrusted to the management of any particular Persons or Committee, shall be executed by such persons & in such ways as the Committee shall Judge best.” These plans included raising and providing provision for the colonial militia. As one historian has written: “The power lodged in the hands of the Committee of Safety was extensive, as it held the office of commander-in-chief of the forces within the State and controlling the raising, equipping, supporting and discharging of the troops.” The responsibilities of the Committee of Safety also included implementing the legislation passed by the state’s General Court, regulating trade, controlling the state treasury, and acting “as a

24 News of the fighting at Lexington and Concord reached New Hampshire on April 20, 1775. On May 17th, the Fourth Provincial Congress met in Exeter, New Hampshire and by July 8th, the leader of this Congress declared: “The Colony is at Present wholly governed by this Congress & the Committees of the respective towns” (Upton, Revolutionary New Hampshire, 42); NHPP, VII, 485.
25 NHPP, VII, 485. The Congress mentioned was both the Continental Congress in Philadelphia and the General Court in Exeter.
26 Agnes Hunt, The Provincial Committees of Safety of the American Revolution (Cleveland: Press of Winn & Judson, 1904), 22
type of political tribunal for the detection and trial of such crimes as dishonesty in
government, counterfeiting, and Loyalism.”

Throughout its tenure from 1775 to 1784, the Committee of Safety had forty-
three members; at any given time, the number of leaders was between six to sixteen
men. Some members, like Robert Wilson of Chester only sat there for a few short
months, while others, like Josiah Bartlett and William Whipple, signers of the
Declaration of Independence from New Hampshire, and Meshech Weare, who was
the chairman of the Committee of Safety while also the President of the Council and
the Chief Justice of the Superior Court for New Hampshire, were members for most
of the war.28

The local and statewide committees of safety took direction from the
Continental Congress. As members of the Hollis Committee of Safety noted: “You
must be sensible that it has been strongly recommended by the Continental Congress,
and enjoyned by them upon the Inhabitants of the several towns in this Government,
that they choose Committees of Safety, to keep Good Order in their Respective
Towns, & also to Examine & deal with all such persons as appeared to be any ways
Enemical to their Country.”29 The Committee of Safety in Hollis understood their
mission and their position as a part of a broader network of revolutionary leadership:
“we both as members of Society, and as a Committee of Safety in this Town, shall, as
We think it our Indispensable duty, do all in our power to have the strictest Regard

27 Upton, Revolutionary New Hampshire, 44; John K. Gemmill, “The Problems of Power; New
Hampshire Government during the Revolution,” in Readings in New Hampshire and New England
Lattieri and Charles Wetherell, “The New Hampshire Committees of Safety and Revolutionary
28 Avery J Butters, “New Hampshire and the Public Career of Meshech Weare, 1713-1786” (PhD diss.,
Fordham University, 1961). 245.
29 NHPP, VII, 450.
and obedience paid to whatever the Respective Congresses have already advised to, and
shall hereafter advise to, for the good of the Common Cause.”

The information collected at the local level was essential to the revolutionaries’ cause everywhere, so the Continental Congress on October 18, 1775, created a committee to collect information from each state’s Committee of Safety about “‘clear, distinct, full, and circumstantial details of the hostile and destructive acts, and the captures of seizures, and depredations in your Colony.’”

Josiah Bartlett and John Langdon, the New Hampshire delegates to the Continental Congress at the time, wrote to William Whipple that a “Committee has been appointed to Collect the Depredations, committed by the Sons of Tyranny, thro’ the Continent.”

The local committees of safety rightfully saw themselves as connected to a long chain of power that stretched from the frontiers of New Hampshire to the metropolis of Philadelphia.

The New Hampshire Committee of Safety’s function to prevent “our Enemies from securing advantageous Posts” ensured that loyalists, although not expressly named, would not reach positions of power in the new, “revolutionary government.”

In Philadelphia, William Whipple wrote to his friend, Josiah Bartlett, about the “Great dangers [that] may arise from placing too great confidence in men who are not Heartily attached to the Independence of America,” and that “such characters shod be watched with the most jealous Eye.” Still, Whipple continued, “there are another

30 NHPP, VII, 450; Upton, Revolutionary New Hampshire, 44.
33 NHPP, VII, 485.
set of people that we are to apprehend great danger from; I mean those who entertain principles repugnant to Republicanism; such undoubtedly there are in every part of the World & it will be happy for N.H. if such characters do not insinuate themselves into Your councils & by their baleful influence weaken the foundation of that noble fabric…& render it unworthy the acceptance of the Goddess to whom it ought to be dedicated.”

His “most fervent wish” was that New Hampshire would be protected against “false Patriots.” Throughout the war, and even after when the post-revolutionary government was established, the revolutionaries were preoccupied with ensuring that their ranks were free from subversion.

According to the number of entries in the journals of both the General Court and the Committee of Safety, responding to suspected loyalist activities was a constant pursuit. When the General Court was not in session, the Committee of Safety was the surrogate legislature. One author notes that “[m]ost of the committee’s time and energy…were spent in directing the war effort, and in this endeavor it acted as the executive of the New Hampshire government, purchasing and distributing supplies for the army.” Activities related to loyalism are not mentioned here, but “directing the war effort” was, in part, synonymous with purging loyalists from the state population.

Throughout the war, after receiving instructions from the Continental Congress, numerous legislative acts were passed to eliminate the loyalists from the

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37 Much like the royal governor of New Hampshire, John Wentworth, attempted to do with the General Court up until July 1775 when he fled New Hampshire (*NHSP*, VII, 372).
New Hampshire population. In April 1776, the Association Test was established, forcing all able-bodied, white males to declare their allegiance to the new provisional government. In November 1777, the Confiscation Act was passed, and a year later the Proscription Act was passed. It was the responsibility of the local committees of safety and other leaders, like the selectmen, to ensure these acts were implemented.

The following spring after the Confiscation Act was passed the selectmen of Londonderry went to the house of Stephen Holland, who by then had already been captured and imprisoned for passing counterfeit bills, a treasonous act, to seize his estate. The selectmen detailed what they perceived their directions to be from the Committee of Safety regarding the Confiscation Act:

In obedience to an act of Said State bearing Date AD. 1777 Directing and Impowering the Selectmen for the time Being of Each and every town or parish or Place within said State where any Estate Either real or Personal shall hapen to be Belonging to any Person who Has been Apprehended for the Crimes of Treason…or other Inimical Practices Against this State or the united States of America or Either of them to Seize apprise and Take into Custody all such Estates for an in behalf of the Government and People of this State Together with all the Profits Income and Emoluments Arising from time to time to Cause a fair and Just Inventory of all and Every Part and Parcel…to be made out under oath and returned into the Secretaries office in this State within Five Months after the Seizing &c.40

The selectmen’s explanation provides insight into the chain of revolutionary leadership, how the local leaders viewed their responsibilities, and how legislative policy was implemented at the local level. As New Hampshire historian Jere Daniell noted: “The collapse of royal government in the winter and spring of 1775 placed additional burdens on local authority. Most communities responded by appointing a committee of safety…charged with the general responsibility of doing whatever

40 Selectmen of Londonderry to Committee of Safety, April 11, 1778, “Petitions: 1778-1779,” Nh-Ar.
seemed necessary to protect and maintain community discipline.”41 Although Daniell does not specifically mention the connection between ensuring “community discipline” and eradicating Loyalist activity, the two are intricately tied. While investigated and prosecuted at the state level, the local committees of safety were charged with surveying their population for possible Loyalists and sending information to the provincial government, and then confiscating the estates of individuals who had been apprehended and sentenced.42 This process, however, was not as smooth as stated by these local officials from Londonderry, and, more broadly, the transition from royal to revolutionary government was not seamless either.

Problems plagued the state and local committees of safety from their inception. Since the state Committee of Safety “had been established…to fill an obvious gap in government, [which was] the lack of a responsible executive and the need of a compact administrative body to execute general policy efficiently or to act secretly and speedily in emergencies,” its mission began on unstable ground.43 Daniell noted that “some confusion resulted…[A] few local committees took action in the name of provincial authority which provincial officers later felt obliged to condemn—but for the most part the arrangement worked smoothly and to the satisfaction of those involved.”44 One of the reasons the local committees overreached was because their responsibilities were defined ambiguously and the officials at both levels were treading on unknown ground.

42 The extent to which these prisoners were convicted is a charge seen in their petitions in Chapter Two. Many of these individuals protested that their charges were never brought to trial.
44 Daniell, *Experiment in Republicanism*, 105.
In three different contexts, local committees of safety had issues with the Committee of Safety: the committees of safety of Franestown, Weare, and New Boston wrote to the Committee of Safety regarding their investigation of Loyalists; the Hollis Committee of Safety wrote to the Hillsborough County Committee of Safety regarding a question of jurisdiction; and the legality of the Franestown Committee of Safety was called into question during the trial of suspected Loyalist John Quigley.\(^{45}\) Illustrating the difficulty the revolutionaries had establishing the bureaucratic framework for their mission, all these episodes occurred during the same week in July 1775—less than two months after the Committee of Safety was established.

Notifying the N.H. Committee of Safety of a “malancholly & unhappy Scitation” caused by “a Number of Disorderly Persons who laying aside all Reason & Rules prescribed by you Gentle\(^{6}\) & the Wisdom of the Continent,” the members of the committees of safety for the towns of Franestown, New Boston, and Weare—who declared themselves to be “Guardians of our Province”—wrote that these persons “have set themselves as it were in Battle Array against all Order; and pursue with hasty steps “the very Road to confusion & Effusion of Blood[.]”\(^{46}\) The words, poetic and forceful, show how the local leaders viewed the Loyalists as enemies posing an imminent threat to the security of their towns. By not joining the revolutionaries’ cause and by not following the acts passed by the General Court, the

loyalists, according to the local leaders, were ignoring both “Reason & Rules.” In the revolutionaries’ view, it was against reason not to want independence.

The members of the local committees of safety recreated their world as the embodiment of “Order,” and the Loyalists, either wavering in their support or against independence, added the dangerous element of “confusion” to society. Declaring that “we have done every thing in our Power hitherto within our proper Spheres of Action to prevent a Consequence so horrible in its Nature & so utterly subversive of Peace & Unity,” the revolutionaries were concerned that “the dreadful Eve of domestick War [is] now Wackening over our Heads.” According to the revolutionaries, it was the loyalists who were forcing the population inexorably to war. Since the revolutionaries rebelled against an existing order, it is paradoxical that they then chastised another group for rebelling against their order.

Blaming the coming of war on the loyalists, the local leaders argued that loyalists were ruining the order, unity, and peace of the community. The notion of the loyalists as the one obstacle towards peace was echoed in New York, as well, when, in April 1777 John Van Cortlandt declared that “Tories…are plotting from New Hampshire to Carolina, and that a Thousand of them must in 2 or 3 Months be hanged and then all with be Peace.” Van Cortlandt’s statements can be understood alongside the petitions from the local Committees of Safety to illustrate the sentiment of the time: if the loyalists were gone, internal peace would be more easily attainable.

The language of these revolutionaries demonstrates the ability of the local leaders to formulate the new political reality as the norm in their society; as such, anyone who was against it was a loyalist.

The committees of safety of Franccestown, Weare, and New Boston were not simply commenting on local affairs; instead, their revolutionary declarations were the introduction to their main concern: the investigation of Loyalists and the powers of the Committees of Safety. Recounting their practices of investigating accusations of loyalty hitherto, these local leaders wrote: while “all Persons who have been fairly & impartially examined & justly & honourably acquitted of the odious named Tories & Enemies to their Country may rest in Peace for the future[,]” they must also “have an Opportunity by their future good Behavior to prove to the World what Malice itself must acknowledge & applaud.” Yet these actions were insufficient.

The leaders of these three towns requested advice for a “more effectual Method than has theretofore been taken” regarding the investigation of loyalists. They were concerned that “unless some such Method be speedily taken (in our opinions) our Country will soon discover that Committees of Safety are but Empty Names & the last Distress of Nations our only Asylum & Place of Resort.” These local committees were not only trying to assert control in the new government’s structure, but as is observed in this petition, they sought to assert their power in their local jurisdictions. The consequence for weakness, they argued, was that

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Committees of Safety would be powerless to stop future Loyalist activities. Asking for assistance from the state Committee of Safety, they insisted that without proper direction and instruction these Committees would have become ineffectual, “Empty Names.”

The local members of these towns’ committees of safety used biblical code to show that their dire situation was similar to eschatological events in the Bible. In Luke 21:25, the phrase “Distress of Nations” is found, and in this passage the destruction of Jerusalem is described. The only refuge these local authorities had would be the apocalypse:

Nation shall rise against nation, and kingdom and against kingdom: And great earthquakes shall be in divers places and famines, and pestilences; and fearful sights and great signs shall there be from heaven….For there shall be great distress in the land, and wrath upon this people. And they shall fall by the end of the sword, and shall be led away captive into all nations: and Jerusalem shall be trodden down of the Gentiles, until the times of the Gentiles be fulfilled. And there shall be signs in the sun, and in the moon, and in the stars; and upon the earth distress of nations, with perplexity; the sea and the waves roaring: Men’s heart’s failing them for fear, and for looking after those things which are coming on the earth: for the powers of heaven shall be shaken. And then shall they see the Son of man coming in a cloud with power and great glory. And when these things begin to come to pass, then look up, and lift up your heads for your redemption draweth nigh.53

The local authorities used the phrase “Distress of Nations” to emphasize their dire circumstances, and that if more instructions were not given, then the only safe place would be a destroyed Jerusalem. It was biblical hyperbole, and the extent to which this phrase was used in everyday language is unknown, but the sentiment of this argument shows the angst these local officials had regarding the lack of direction they were receiving and their fears regarding the future.

That same month, July 1775, confusion arose between the Hollis Committee of Safety and Hillsborough County Committee of Safety. The Hollis Committee asserted: “we have met from time to time, & always hitherto have been and still are Ready to hear any Complaints against any inhabitant of this Town & determine the same impartially.”\(^{54}\) The problem, as the Hollis Committee members saw the situation, was that the county committee of safety, which had been established to foster communication between the towns, had gone beyond their jurisdiction and had “Assumed on authority of your own to Summon some of the inhabitants before you for Tryal.”\(^{55}\) The local Committee implored the county to follow the proper chain of power and wondered how they “could not have been so mistaken as to not have known that it was your duty to have come & complained to us,” and then appealed the decision to the state legislature or Committee of Safety or the Continental Congress.\(^{56}\) Their largest rebuke of the county Committee regarding jurisdiction was the following: “As to your Citing any persons before you who have been Examined by us, and dealt with, We look upon it to be of Dangerous Consequence, a very Extraordinary Procedure, and a Reflection upon our Capacity and understanding, and something which did not belong to your roper Province.”\(^{57}\) Uncertainty over jurisdiction and control was a common theme in these early months as the new system of government was established.

Not all interactions between the local and county committees of safety ended in dispute. The Francestown Committee of Safety openly stated their dissatisfaction

\(^{54}\) NHPP, VII, 450. Once again, as observed in the other July 1775 petition, the committees strived to insist their impartiality.  
\(^{55}\) NHPP, VII, 450. Italics in text.  
\(^{56}\) NHPP, VII, 450.  
\(^{57}\) NHPP, VII, 450.
with the Hillsborough County Committee of Safety’s investigation of John Quigley during July 1775. The issue of authority was also seen with the manner in which the committees were chosen. Neighboring committees came to the aid of the Francestown Committee and asserted that the Francestown Committee was “fairly and legally chosen, and had good right to act in all case for the safety of said Francestown.”58

A day later the Hillsborough Committee charged Quigley with loyalism, and the suspect declared his innocence thirteen days later. What is surprising, though, is that the Committee of Safety for Francestown, not the county, signed the declaration that stated Quigley was innocent on all charges and that he “ought to be received and treated as a friend to his Country.”59 It is evident that the power structure between local and county Committees was fluid, and sometimes they clashed while other times operated in concert with each other. The influence of the county Committees eventually waned as they “had begun to outlive their usefulness. Their main function—to provide a mechanism for intercommunity cooperation—had been taken over by the emerging provincial government,” which included the state Committee of Safety.60

One of the main functions of the local committees, from 1775 through the duration of war, was to investigate claims of disloyalty and interrogate suspected loyalists. The Town of Packersfield, which was also named Londonderry, met at Mr. Benjamin Nurse’s house on December 13th “and chose two of the Comitte and see to Mr Breed batchellor and requestted him to make his aperence at Said Mr Nurs for to

58 NHPP, VII, 563.
59 NHPP, VII, 563.
60 Daniell, Experiment in Republican ism, 101.
answer to the Complants Aledged against him.”\textsuperscript{61} As this example suggests, interrogations did not always take place at the local meeting house, church, or tavern. In this example, a local leader’s house was deemed well-suited.

When the Packersfield’s Committee of Safety met Batchelder “at the place appointed…he refused to give any account to the Comitte or to be judged by them saying we ware predgedus persons.”\textsuperscript{62} Recalling how the authors of the previous petitions stated outright their impartiality, from the view of a suspected Loyalist these were spurious assertions. Moreover, that one side insisted they were legitimate by being impartial, and the other side snubbed the Committee because it was prejudiced is important: both sides used the same scope of language to justify their claims.

Later that month, local leaders, including Jonathan Felt, went to Batchelder’s house to continue the investigation. On December 18, 1775, Felt declared under oath that “he heard Bread Batchaler say, the committa should not come into his house. But they might stand at the door and talk with his hogs he said he would Be gudgd by fire and Brimstone Before he wold Be gudgd By the committee.”\textsuperscript{63} For Batchelder, the Committee of Safety was not simply an “Empty Name,” but instead was an organization that would cause him great harm. Saying he would rather be judged in Hell than by the Committee confirms how these committees were held in contempt by some members of the population as a result of their persistent questioning of members of the community. Despite trying “other methods,” the Committee of

Safety of Packersfield wrote, Batchelder “would not agree to any that was agreeable to the Congress order,” and the emissaries from the Packersfield Committee of Safety told Batchelder they were to return on the 29th of December to gather more evidence. They further cautioned him that he could be in “a grate deal of truble” if evidence surfaced that he was a loyalist.65

Describing the same meeting, members of the Packersfield Committee of Safety detailed similar notes. Once more, it was detailed that “he refuse to com saing that we ware pregedis person and said that we shall not com into his hous but we mite com to his doer and talk and stand among his hogs.” He wanted the guarantee that the Committee would not confine him, so, according “to his desire we past a vote that we would not med with him[,]” but he still would not leave his house to be examined by the Committee.67 Another deal was struck: five men would be chosen “out of several towns and we mite chuse two of them he would cuse two of them and he and we mite agree on the charman.”68 Not only could the two parties not come to amicable terms on the formation of a new investigating committee, but the Packersfield committee was also in a quandary: the NH legislature had not given a

warrant to arrest Batchelder, but the local officials knew “he was enemical to this
counter and the people of this town ware of the same mind abut him.”

The following March, the Committee of Safety for the nearby town of
Fitzwilliam wrote to the state Committee of Safety to provide more evidence of
Batchelder’s loyalism. They wrote: “the Committee of inspection for the Town of
Fitzwilliam are of opinion that Breed Batchelor of Pakcersfield has conducted in an
Enemical manner and is openly violating the assotiation of the Continental
Congress.”

The charge against him was that he brought into Fitzwilliam “a large
quantity of India Tea and freely offering it for sale as he was passing through…and
did dispose of some of it to one or more persons in town as we are able to prove from
the confettion of Frederick Reed.” Furthermore, Batchelder, following his earlier
tirade against the Packersfield Committee of Safety, “gave out very thretning words
in case any committee or any persons should come to ecamine or discuss him about it
whom we think has conducted an Enimical manner.”

Each layer of government took their directives from the level above them. By
reporting to the statewide Committee of Safety and submitting this report for their
“wise consideration and determination,” the local committees sought the advice of the

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69 Packersfield Committee of Safety to Committee of Safety, March 19, 1776, “Tory: Packersfield:
70 Fitzwilliam Committee of Safety and Inspection Regarding Breed Batchelder to Committee of
Safety,” March 6, 1776, “Tory: Packersfield: Breed Batchelder, Confiscated Estate (1775-92),”
“Petitions: 1775-1776,” Nh-Ar.
71 Fitzwilliam Committee of Safety and Inspection Regarding Breed Batchelder to Committee of
Safety,” March 6, 1776, “Tory: Packersfield: Breed Batchelder, Confiscated Estate (1775-92),”
“Petitions: 1775-1776,” Nh-Ar. The fact that he had Indian tea no doubt shows that Batchelder was a
well-to-do individual.
72 Fitzwilliam Committee of Safety and Inspection Regarding Breed Batchelder to Committee of
Safety,” March 6, 1776, “Tory: Packersfield: Breed Batchelder, Confiscated Estate (1775-92),”
“Petitions: 1775-1776,” Nh-Ar.
Moreover, in October 1775 the New Hampshire delegates to the Continental Congress similarly requested instruction “as to the method of regulating their civil affairs.” The chain of authority and instruction during this period was clear.

This petition notably provides a remarkable review of Batchelder’s “conduct” as he went through Fitzwilliam. The ability to achieve such a close examination proves that strong tools of surveillance were used by these Committee members. In their detailed report, the Fitzwilliam Committee reported Batchelder’s movements while in the town. They wrote that an individual saw him “pass through their Town with quantity of Tea” which caused members of the “Committee to pursue him,” probably because tea was considered contraband under non-importation and non-consumption agreements signed years earlier.

The next day, “the said Bachellor came along mounted on horseback with three bags of Tea” and one of the Committee members instructed Batchelder “to stop and come into the house but he refused.” After striking with a club one of the interrogators, Batchelder rode away on horseback and “Capt. Mellon then took his horse and pursued after him.” As the report indicated, Captain Mellon “overtook

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him in about a mile and a half and persuaded him to turn back and settle the matter. He consented and came back to the house of Capt. Mellens and agreed to leave it out to Major Ferrah and Major Brigham what should be done with the tea."78 It was ultimately decided that "that the tea should be stord with Capt. Mellon."79

When the Committee members went to retrieve the tea, Batchelder only had two bags of tea, not three, and said that one of the townspeople, Mr. Tucker, had stolen the bag, but the after searching the nearby area they found that he had "cast" the tea in the Brush a little out of the Roade."80 Later when the local officials were deciding what to do with the confiscated tea, Batchelder, "who was out of the Room[,] came to understand that Capt. Mellon had sent away that bag he appeared to be very angry and the next morning went out and has since Reported that Major Brigham stole that Bag which is a very fals report."81 The level of detail of these reports illustrates one of the central duties of the local Committees of Safety, which was to provide surveillance and report to the state Committee the actions of suspected Loyalists.

The local Committee of Safety wanted Batchelder to sign a "covenant," which was probably an early precursor to the Oath of Allegiance that would be instituted one month later. "As yet he hast mad much disturbance in the contere" with his

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buying a selling “a lardg quanitie” of tea. The local committee insisted that the people of the town had done everything they could “to bring him to tarms but he refuseths to comply to any tarms.” They “tryed to have him sine a covenant,” but Batchelder refused, arguing that such an approach was “was aganst the law.” He asked the committee members if they had heard of General Gage’s proclamation, which declared that “all such persons” who attempt to sign “any such covenant” risk being harmed by the royal government. Other persons were willing to take the risk and tread against General Gage and the British Army. People like Batchelder were hesitant to do so, and, as a result, the local Committees of Safety treated them as loyalists.

Batchelder’s words here follow the argument put forth by one author who argued: the Loyalist population took issue with the new local government formations and how “the country ‘was cantoned out into new districts and subjected to the jurisdiction of these committees, who, not only without any law, but directly in the teeth of all law whatever, issue citations, sit in judgment, and inflict pains and penalties on all whom they are pleased to consider as delinquents.’” The question of the legality of the actions of the Committees of Safety is best observed in Batchelder’s questioning of the legality of the actions of the Packersfield Committee of Safety.

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The local officials “complained” that Batchelder had made a “disturbance in their towns by…peddling…tea and bad behueyer”; overall, his actions caused them “a great deal of cause and trouble.”\(^{87}\) With these petitions and reports presented to the state over the course of a year and half, the NH Committee of Safety, on June 10, 1777, held a “Special Session” to allow citizens to provide depositions regarding Batchelder’s loyalism.\(^{88}\) From the perspective of his neighbors and fellow citizens, these depositions provide insight into what sort of “trouble” Batchelder caused. They were a way to confirm or deny, in a public setting and not simply in the household of a local leader like a similar Batchelder was in, whether he had done anything wrong.

On June 10, 1777, twenty-four individuals went before this “Special Session” and gave testimony as to whether Batchelder was a loyalist. There were general threads to the witnesses’ answers. Dr. Tiffiney, among others, stated that Batchelder told him that “he was very sorry for his Country but would not come under Independence,” and that he would “Rather be hangd & chockd then come under it”; nevertheless, he “would give all he had to have the matter setel without Sheding Blood.”\(^{89}\) Arithusa Willard commented that Batchelder “said he would give all he had in the world Except his wife & children if the matter might be setel\(^d\), without Blood,” and Jonna Kidden asserted that the accused “never Incorrage\(^d\) nor Discorrage\(^d\) any going into the war & he was unwilling to have any Blood Shed would give all he had to have the matter setel\(^d\) that he might Live under the Same


Laws as Usual was willing to pay his Tax but would not go into the war himself neither would his hire.\textsuperscript{90} Even Abigail Baterfield “never heard him say anything against America.”\textsuperscript{91} As to the question of whether he condemned the Committee of Safety, Dr. Breed testified that “he did.”\textsuperscript{92} Furthermore, “the Comee & Selectmen threatened to kick his ass to the Devil he said he would have their Estates meaning the Comee he never heard him Discourage any from going into the Service.”\textsuperscript{93} Aljah Brown: “he said he would not be tryd by such Commee it was in one honour to Die in his house then be tryd by them he did not Incorrage nor Dissscorrage from going into the Army would give any thing to have the matter seteld without Sheding of Blood in favour of America.”\textsuperscript{94} The extent to which many of the answers were similar shows that either many heard Batchelder say something similar or the scribe shortened and simplified the responses, or maybe even changed them.

Many years after the war, during April in both 1791 and 1792, the Probate Court had compiled a list of individuals whom Batchelder owed money. The payment would have been made with the funds from his confiscated estate. Of the list of forty or so creditors, seven testified before the Committee of Safety on June 10, 1777: Aljah Brown, Joanna Kidden, James Phillips, Henry Bemey, Jacob Town, and Benjamin Nurse.\textsuperscript{95} These particular individuals did not implicate Batchelder in as much wrongdoing as others did that day. Instead, they described Batchelder’s

\textsuperscript{90}\textit{Ibid.}
\textsuperscript{91}\textit{Ibid.}
\textsuperscript{92}\textit{Ibid.}
difficulty coming to terms with the new political reality and how the new order would effect his family. As they had already completed monetary transactions, one can imagine that the above named individuals were acquaintances of Batchelder, or even “A Friend” as Henry Bemey stated. While the motives of those who testified is difficult to understand, the fact that Batchelder owed certain witnesses money would seemingly give cause to at least some of them to label him a loyalist and have his estate confiscated, so they then could be paid. The testimony these individuals provided does not support such an assertion: those who were in the early 1790s listed as persons who Batchelder owed money either supported Batchelder, or at least gave testimony that was largely ambivalent towards the question of his loyalty.

A month after his hearing and with the prospects of his imprisonment rising, Batchelder went into hiding. Writing from a “Shady Grove,” he addressed two men who presumably were also in a similar position or who had the means to help him. What is unusual about this note is that every first person singular word was crossed out and replaced, in what appears to be the same handwriting, with a first person plural word, suggesting that the men he was writing to were also fugitives. Worried about the current “warrant out for me,” Batchelder was anxious since an “officer is ordered to Pennion me fast and carry me to Exter gaol where I we must Lie for Trial Till September Court.” He worried about this impending imprisonment, for it would be a “great hardship under the situation of my our familys

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as I we have no body to take care of them & the Burden must be great to our wives which they and Children are Thretend Dayle to be Turned out of Doors."

Recalling his deposition and other interrogations, Batchelder argued that “the treatment we rec’d is bad, Tho’ Undeserved – and the Evidence Taken on but one side, who ware perdigist persons cheffely.” Regarding how his “enemies” spread misinformation, he desired the court to be “Rightly Informed of the Provections and inusts I have Rec’d. from those my our enemies, and the Evidence heard on the other side they would not pay any Reguard to the Evidence against me us.”

As a result of the accusations laid before him as a suspected loyalist, he wrote how “my fences cut away my cattle Turned into my grass and hay carread of and Destroyed[,]” which would, in his opinion, “provock any human being – or – say cause an angel to sin if possible.”

In Batchelder’s view, with the way he was treated by the community, he had no choice but to remain a loyalist. The division between him and the local authorities continued further as he refused to be brought to prison to the next month and a half, at the least, while he awaited his trial in September. Instead, he desired the “Liberty to Stay within the Bounds set by” the court until the September trial. While he was “not the Least afrade” that they would be anything but “aquited with Honour[,]” he requested that Wyman and Gilmore “obtain any such Liberty, but if I we cant obtain

my our Request we shall Live in the wilderness Rather then the Goal till September Court for Trial.”

Requesting more time to pay the town’s taxes, the Selectmen of the town of Packersfield notified the state legislature in February 1778 that Batchelder, who was the Proprietors Clerk of the town, “has absconded and Joyned the Enemy.”

On March 5, 1770, British soldiers and colonists fired rounds at one another—during what is now called the Boston Massacre—and soon after in Boston a non-importation agreement was passed to stop the flow of British goods into the harbor.

Several Boston merchants disagreed with this agreement and did not sign the non-importation agreement. Instead, they moved to Portsmouth, New Hampshire, where no non-importation agreement was in effect. “The irate Bostonians determined that if Portsmouth accepted these men, Portsmouth should suffer boycott too. This threat led to a town meeting on April 11 when the inhabitants of Portsmouth resolved to have nothing to do with the newcomers and isolate them.”

One of the leaders of the Boston merchants, James McMaster, then moved to Portsmouth and six years later when his business property was confiscated after he was accused of being a loyalist, he was forced to flee.

On August 1, 1776, the local Committee of Safety in the town of Dover, a town adjacent to Portsmouth, confiscated the inventory of James McMaster business,

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105 NHPP, XII, 638.
106 These non-importation agreements, and later non-consumption agreements, continued to be passed and were the same agreements that forced Batchelder into trouble with his tea collection.
107 Upton, Revolutionary New Hampshire, 9
as well as his cash reserves and personal property.\textsuperscript{108} A month later, McMaster wrote to the Dover Committee of Safety, stating: “about a month ago while your Petitioner was at the eastward transacting his Business there a quantity of Goods, Notes of hand, Books and other papers together with a considerable Sum of Money belonging to your Petitioner were taken from a store in Dover” while his apprentice, Peter Mitchell, was present.\textsuperscript{109} McMaster maintained that he was “not conscious of having acted any unfriendly art towards America or of being guilty of any Conduct, which might justify the taking and detaining [of] his Property from him.”\textsuperscript{110} He requested the General Assembly’s “kind & candid Interposition in his behalf” and to instruct the Committee of Safety of Dover “to restore…what of his property they have taken from him.”\textsuperscript{111} The following week, a hearing was scheduled for both McMaster and the Dover Committee of Safety to testify.\textsuperscript{112} 

Reacting to McMaster’s petition, the Dover Committee of Safety wrote the Assembly justifying their actions. The items were confiscated, “in consequence of Orders from the late Committee of Safety for the Colony and an Invoice thereof sent them.”\textsuperscript{113} Two members of the Dover Committee, Otis Baker and Stephen Evans, were also members of the NH Committee of Safety at this time, and the Dover

\textsuperscript{108}For complete inventory of McMaster’s business, see DC005017, Folder, 39, “Personal Papers,” Nh-Ar. This inventory has hundreds upon hundreds of items. My thanks to Stephen Thomas for helping me transcribe it.

\textsuperscript{109}James McMaster to NH Council and General Assembly, September 5, 1776, “Petitions: July 1776-1777,” Nh-Ar.

\textsuperscript{110}James McMaster to NH Council and General Assembly, September 5, 1776, “Petitions: July 1776-1777,” Nh-Ar.

\textsuperscript{111}James McMaster to NH Council and General Assembly, September 5, 1776, “Petitions: July 1776-1777,” Nh-Ar.

\textsuperscript{112}James McMaster to NH Council and General Assembly, September 5, 1776, “Petitions: July 1776-1777,” Nh-Ar.

\textsuperscript{113}Dover Committee of Safety to New Hampshire Council and House of Representatives, September 12, 1776, “July 1776-1777,” Nh-Ar.
Committee insisted that they “be able to give a true Narrative of our Proceedings.”\textsuperscript{114} The “true” in this quote does not refer to the word “impartial,” but instead “true” in the sense of supporting the revolutionaries’ cause.

On September 13, 1776, Peter Mitchell, James McMasters’ apprentice, provided a deposition for state authorities that was highly incriminating. He accused McMaster, and his two brothers who lived in Halifax and London, of virulent loyalism and being “inveterate Enemies to America.”\textsuperscript{115} Mitchell declared:

James McMaster is a Deep Rooted Enemy to America & that he would be glad to see every drop of blood Spilt that is in it, Rather than that it should not be brought under Bondage, & Reduced to a State of Slavery; & that he has always shown himself a most inveterate Enemy to this Country upon every occassion that laid in his power ever since he came into it; and that it has ever been the Scope of his discourse when private with his set of Companions of his way of thinking, to Run out against America the most Cruel, Spiteful, Abusive, Contemptible language that he could utter, and wish all the evil to it that could be.\textsuperscript{116}

And, according to Mitchell, McMaster further “hoped to see one of the Americans hanged to be an example to the other half, & that he prayed that all the Ringleaders might be hanged in Jibbits, & that he would stand Hangman himself.”\textsuperscript{117} He not only “heard him Damn the Continental Congress,” but he even “hoped to God the Kings Troops would soon Conquer this Country… & that he would lend them all the assistance” and do whatever he could to “slight the American Army,” which he believed “would all be killed [in] the first Battle that ever was fought.”\textsuperscript{118}

\textsuperscript{114} Dover Committee of Safety to New Hampshire Council and House of Representatives, September 12, 1776, “July 1776-1777,” Nh-Ar.
\textsuperscript{115} Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{116} Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{117} Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{118} Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
On the topic of his confiscated goods, Mitchell had much to say about McMaster’s feelings regarding the taking of his property. Mitchell stated in his deposition that “he heard the aforesaid James McMaster call the Committee a Sett of Damnd Williams, & that he would let them know for that they took his goods, & that he did not regard Comitees or Congresses nor none of them for they were all a pack of Cursed Rebellious Villians, & that he hoped to have the pleasure of seeing them hanging in the Air as high as Haman long, & that he would take me away from my Confinement if he thought fit without asking there leave.”\(^{119}\) If given the chance, Mitchell stated, “the first thing he would do would be to Sell his goods, & make over his Notes of hand to somebody, & then make his Escape for Hallifax as fast as he could, which he was sorry he said that he had not done it long ago.”\(^{120}\) His desire to “get away from the Cursed Villians as fast as he could” was the main point Mitchell continued to testify.\(^ {121}\)

Five days after Mitchell’s deposition was sent, James McMaster wrote a petition to the state government detailing how “the Goods” Mitchell “claimed before the Committee of Dover as his Property did not belong to him but to your Petitioner.”\(^ {122}\) McMaster believed that Mitchell had “Confederates in the Embezzelment of the said Monies & that whether they eventually shall be deemed ye Petitioners Property or be declared forfeited to the State they will suffer a very considerable Diminution if the said Peter Mitchel is permitted to remain at Dover.”\(^ {123}\)

In all, McMaster requested Mitchell be removed from the town of Dover and

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119 Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
120 Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
121 Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
122 Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
123 Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
relocated to the jail in Exeter. It is evident that the relationship between McMaster and Mitchell, perhaps once amiable, was now malevolent.

On September 16, 1776, Mitchell declared under oath that he had “taken shewn and delivered to this Committee all the Goods, Monies and Effects of James McMaster & Company in your hands possessions or knowledge.” Taking a closer examination of the items on the list of confiscated materials from McMaster’s possession, one is confronted with a massive inventory proving how McMaster and his brothers constituted a family of the British Empire. With brothers living in Halifax and London, with James traveling “East” on business, and with such an abundance of textiles and clothing from abroad, the inventory proves McMasters’ connection to the England and the British Empire. Later claiming payment from the British Parliament for his property taken by the Committee of Safety, James McMaster provided a list of two hundred forty-five people who were indebted to him with either “Promissory Notes” or “Open Accounts” who owed him nearly seven thousand six hundred seventy-four pounds. Many individuals that are the subject of this study, including Stephen Holland, Stephen Little, and a “Mr. Vance,” are also seen on that list. Revolutionaries, too, like Major General John Sullivan and political leader John Langdon are listed. Of all the members throughout the entire time the Committee of Safety existed, Samuel Cutts and Jonathan Blanchard are the only two listed in McMasters’ record. Cutts, a fellow resident of Portsmouth with McMaster,

\[124\] Deposition of Peter Mitchell, September 13, 1776, “Petitions: July 1776-1777,” Nh-Ar.
\[125\] Oath delivered by Peter Mitchell, September 16, 1776. Found written at bottom of McMaster inventory list, DC005017, Folder, 39, “Personal Papers,” Nh-Ar.
\[126\] James McMaster, *NH Claims*, Nh, 1230-1235.
owed more than fifteen pounds.\textsuperscript{127} He was also a member of the Committee of Safety when McMaster was petitioning the state authorities. Blanchard, while elected, never served.\textsuperscript{128} By focusing on the broader community, the division between loyalist and revolutionary becomes more nuanced: both had friends, neighbors, and business associates on the opposing side. Moreover, in terms of community, the addition of hundreds of New York residents who were sent to New Hampshire under an agreement changed the broader community landscape and forced the Committee of Safety and General Court to contend with not only its resident loyalist population, but also the New Yorkers.

Five separate times between October 17\textsuperscript{th} and November 8\textsuperscript{th}, A.W.D. Peyster, Secretary of the “Committee appointed by the Convention of the State of New York, for enquiring into, detecting and defeating all conspiracies which may be form’d in the staid State against the Liberties of America,” wrote to the New Hampshire Committee of Safety regarding loyalists who were to be sent from New York. On October 17, 1776, he sent the following resolution:

\textit{Resolved}, That it hath become more particularly necessary and expedient to provide for the internal Peace and security of this State, by removing from it all persons, who are notoriously disaffected and inimical measures persuing for the safety and Defence of the United States of America.

Resolved, That the Persons hereinafter named be forwith removed to the several places affixed to their respective Names, there to remain at their own expence, under such Restrictions as shall be enjoined them respectively by the Legislative authority or by the Committees of the several States to which they ma\textsuperscript{y} be so removed.

Resolved, That Letters be written to the respective Legislatures or Committees aforesaid, inclosing them Copies of the Resolutions of the Convention of this State appointing this Committee, together with

\textsuperscript{127} James McMaster, \textit{NH Claims}, Nh, 1230-1235.
Lists of the Persons sent to the respective Places; distinguishing such Persons as this Committee deem most dangerous to the Liberties of America, by an Asterim.*
Ordered, That Copies of the foregoing Resolutions be sent to the respective Legislaturess or Committees of the several States to which the Prisoners herein after named, shall be removed.129

Those men who were labeled with the (*) were sent straight to prison in Amherst, Goffstown, Exeter, and other jails across the state. Their petitions requesting to be released from jail would later be read by the Committee of Safety.

John Jay, Chairman of this New York Committee and influential revolutionary leader, wrote that the New York Committee “desire that all such of the Prisoners as are not directed to be confined and not in circumstances to maintain themselves, be put to labour and compelled to earn their subsistence.”130 In return the New Hampshire Committee of Safety wrote: “we have ordered sixty seven of said persons to be confined in several Persons in this State, and the Remainder have Liberty to provide their own Lodging, and support themselves by labour or other ways in several Towns allotted to them under cautions & restrictions for their behaviour.”131

For their hard work and helping the state of New York, Jay praised “[t]he attention paid by your Honourable House to the detention of the dangerous and disaffected persons recommended to their care of this Committee is very agreeable to the Friends of Liberty in this State and has been attended with happy effects.”132 Jay also noted that while “Conferring with Lieut. Coll. Welch,” who by order of General George Washington was stationed in New York since October 15th and whose idea it

129 NHSP, VIII, 380-381.
130 NHSP, VIII, 389.
131 NHSP, VIII, 294.
132 NHSP, VIII, 448.
was to transport the prisoners to New Hampshire, “he was of opinion, that the zeal
which your Honble Body have uniformly manifested for the American Cause, would
induce your cheerfully to receive and dispose of them in such Manner as to prevent
the further execution of their wicked and malicious Designs.”\textsuperscript{133} The New York
Committee would later praise Welch for his service and “If a strict attention to Order
and regularity amongst the Soldiers and a Deference to the civil Authority are
Qualifications which deserve commendations in the military Officers of a free State,
this gentleman is happy enough to possess them in a very eminent Degree” and “that
his Services may be distinguished in the State to whom he belongs, and that he may
have an Opportunity of exerting, in a higher Sphere, the Inclination and Abilities he
possess to serve his Country.”\textsuperscript{134}

One official from the New York Committee gestured towards a reason for the
transport of these New Yorkers. He argued that these men, “whose Principles are so
dangerous to the Liberties of Mankind” were sent to New Hampshire to “wean them
from those poisonous Tenets, which have been instilled into many of them,” which
they internalized “by associating with crafted and designing Abettors of the wicked
Usurpations of the British King and Parliament.”\textsuperscript{135} Since most of the prisoners were
“seduced to take part with our open Enemies were flattered by the prospect of self
Interest,” if they were removed from those forces that caused their loyalism to
flourish, “it may naturally be expected that an operation of the Principle [inside the
Exeter prison] will by Degrees lead them to support a Cause by which their Fortune

\textsuperscript{133} NHSP, VIII, 389.
\textsuperscript{134} New York Committee to New Hampshire Committee of Safety, December 4, 1776, Box 6, Folder 9,
\textsuperscript{135} New York Committee to New Hampshire Committee of Safety, December 4, 1776, Box 6, Folder 9,
Perhaps imprisonment in a foreign land without any familiar, pernicious influences would turn their minds away “from those poisonous Tenets” and towards “the general Cause,” and, in one historian’s words, “by sending them away from their home and scattering them abroad many conspiracies might have been prevented, and the possibilities of organization much lessened.” In more concrete terms, the prisons in New York were also overcrowded.

William Whipple and Josiah Bartlett, two of the most influential New Hampshire revolutionaries, wrote to each other regarding the topic of the New York loyalists. In his letter to Bartlett, Whipple mentioned that “a great number of Torys are sent into our state from that of New-York. I hope proper care will be taken of them, as well as those in our state.” The main issue for these two leaders was how to eliminate the loyalist threat, which would undoubtedly assist the success of the American cause. Whipple, jokingly, wrote about means of transporting these loyalists, but he wrote, “I’m puzle’d for a place bad Enough to send them to. Scotland might indeed do, but the difficulty is, how to keep them there, but to be serious, I think some very spirited Measure must be speedily taken with those people & I know of none that will answer the purpose so effectually as clearing the United states of them by some means or other.” To rid the land of loyalists, Whipple thought of “two ways of effecting this, that is death or transportation, & Humanity inclines me to the latter indeed we had better send them to the Enemys army then let them continue

among us.” It was with this sentiment that by the end of the following year, after many of them submitted petitions requesting better treatment and release to return home, all the prisoners from New York had left New Hampshire prisons for home. 

Josiah Bartlett presented his own view for why loyalists should be imprisoned, and he was as convinced as John Jay that imprisonment within the same community was fruitless. He wrote to William Whipple: “I can conceive of no reason for an abatement in the spirits of the People unless it is that those miscreants who are aiming at the destruction of their Country, are not treated with that just severity which their Crimes deserve.” He wondered, though, “[w]hat purpose will it answer to fill the Goals? These Villains all have friends, & while they remain with you ‘tho they are in Goal they will be raising their parties, whereas if they are under Ground our out of the Country they will soon be forgot. The necessaty of the Case will surely justify the most severe & decicive measures. I am always for persueing lenitive measures, when such will answer the purpose, but experience has tought us others must be adopted.”

It is evident that revolutionaries in New Hampshire and New York were preoccupied with finding the best method to eliminate the loyalist threat and to eliminate any sort of loyalist network that could damage their cause. As two influential members of the Committee of Safety, it is important to understand how Bartlett and Whipple perceived the imprisonment of loyalist, especially in the context of the petitions the prisoners sent from prison to be released.

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141 William Whipple to Josiah Bartlett, November 17, 1776, The Papers of Josiah Bartlett, 134.
142 Hammond, Tories in New Hampshire during the American Revolution, 47.
The role of the Committee of Safety during this period cannot be understated. In the ensuing four years, the N.H. Committee of Safety rose to power and “virtually ran the government after the summer of 1779. It controlled the militia, settled claims against the state, issued permits to privateers, regulated trade, administered tax collection, and once on its own initiative appointed a delegate to the Continental Congress.”\(^{145}\) In many respects, the Committee of Safety assumed the role of the General Court, including the task of contending with the loyalist population. Once the anti-loyalist acts were passed, accusations of loyalty hurled from neighbor to neighbor, the prisons began to swell with alleged and convicted loyalists.

Depending on the circumstances, the Committee of Safety was the grace or ire of the citizens of New Hampshire. For the suspected loyalist population, an investigation by the committees of safety at both the state and local levels led to many individuals’ rampant distress about their future. The examples of Breed Batchelder and James McMaster demonstrate the extent to which local political and personal relationships were crucial to the process of investigating suspected loyalists. The revolutionaries took extensive and protracted measures to ensure the loyalist threat would be eradicated from the new political reality they created.

The “Cause of Liberty” and the Imprisonment of Loyalists

Walking in Exeter, New Hampshire towards the end of the eighteenth-century, a person taking a right before the bridge on High Street would have turned onto Jail Street. About five buildings on the right was the County Prison, between the Chatham’s and Folsom’s houses, where many suspected loyalists were held before and during the war. From their prison cells, the prisoners sent petitions, which were taken across the bridge to Mill Street and left to Court Street, to the Committee of Safety and General Assembly.\(^\text{146}\)

The Exeter jail was one of two prisons in Rockingham County; other counties had their own jails. The prison at Amherst in Hillsborough County, “second only to” the jail “at Exeter in importance during the Revolution” was described as follows:

Built in 1772, it was 34 feet long, 26 feet wide, and 17 feet high, divided into two stories….There were four rooms for the prisoners, each 11 feet square, two on each floor, but the jail-keeper’s rooms were 14 feet long….The post, sills, and plates were of white oak, and the rest of the timber was chestnut, and the appropriation for the entire work was £200. The fence was 8 feet high, well spiked, and stood 10 feet from the building on all sides….\([\text{In November}]\) the sheriff protested that the jail was not secure, and it was ordered that the prisoners’ rooms be lathed and plastered, and that iron bars, 3 inches apart, be set in the window of the lower north room.\(^\text{147}\)

The portrait of this prison gives insight into the rest of the other ones since “[p]robably the other jails did not differ greatly…in the main points of construction.”\(^\text{148}\)

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\(^{148}\) Hammond, Tories of New Hampshire in the American Revolution, 30.
Throughout the early 1770s, the modifications to the prison designed to discourage prisoners from escaping were inadequate, and prisoners continued to escape. Further attempts to secure the Hillsborough County jail were made: the doors “had to be fastened,” “two locks and a padlock” were added, and the fence was built four feet higher and its distance from the prison building was doubled. Still, in the coming years during the American Revolution, the Exeter jail was not immune to escapes, which was the cause of distress for the Committee of Safety.

With the transition from royal government to “revolutionary organization,” many suspected loyalists found themselves negotiating a new political reality in New Hampshire from behind prison bars. The introduction of the Committee of Safety and new powers granted to the General Court forced many individuals to contend with new laws, such as the act passed in June 1777 for “Taking Up, Imprisoning or otherwise Restraining Persons Dangerous to this State,” which granted the Committee of Safety the authority to direct “any Sheriff or Deputy Sheriff within this State or to any Person by Name to command and cause to be apprehended & committed to any Goal within this State any person whom the said Committee of Safety shall deem the Safety of the Commonwealth requires should be restrained of his personal Liberty.” Once imprisoned, according to the legislation, the prisoner remained

149 The term “revolutionary organization” comes from the title of chapter three in Upton, *Revolutionary New Hampshire*.
150 Henry Harrison Metcalf, ed., *Laws of New Hampshire* (Bristol, New Hampshire: Musgrove Printing House, 1916) 4: 97. This act was to expire in January of the following year, except on December 25, 1777, the General Court reissued this law “until the first day of January 1779 & no longer” (Metcalf, *Laws of New Hampshire* 4: 136). In 1778, the Proscription Act was passed, and these acts for imprisonment were nullified.
without bail either until the Committee of Safety determined the time of their release
or until the prisoner sent a petition requesting to leave.\footnote{151 Metcalf, \textit{Laws of New Hampshire} 4: 97.}

To be released from prison after imprisoned on the charge of loyalism, the
accused had two options—one legal, one illegal: write a petition or escape. Most
suspected loyalists wrote petitions to the state government requesting a cocktail of
wishes: from demanding their unconditional release, to release on parole, or the
ability to step outside their cell into the jail yard or to walk as far as the meetinghouse
at the center of town. Prisoners were not the only ones who sent petitions to the
Committee of Safety and General Court. Townspeople sent petitions on behalf, or
against, certain prisoners. So, too, the local committees of safety were in regular
contact with state authorities regarding the location and imprisonment of suspected
loyalists.\footnote{152 See, Metcalf, \textit{Laws of New Hampshire} 4: 696; Londonderry Committee of Safety to Committee of
Safety, July 3, 1778, Meshech Weare Papers, Nh-Ar.}

For their requests to be successfully granted the prisoners put forth particular
arguments and pleas that they thought would be favorable to their venture. As they
navigated the new political structures, such as the local and statewide committees of
safety and the General Court, the prisoners submitted petitions that reflected their
personal beliefs and revealed their strategies for what they thought the officials
wanted to hear.\footnote{153 John Phillip Reid, \textit{The Concept of Liberty in the Age of the American Revolution} (Chicago: The
University of Chicago Press, 1988); Natalie Davis, Fiction in the Archives (Stanford, California: Stanford University Press, 1987).} The requests seen by the members of the Committee of Safety
were formulated using the vocabulary, framework, and context of their period—the
American Revolution. Since they were seeking to be released from prison, the term
“liberty” is ubiquitous in these petitions in both concrete and figurative contexts. The flexibility and durability of the term “liberty” is also apparent as the petitioners used the term “liberty” and the language of the American Revolution to encourage the members of the Committee of Safety to release them.

In concrete terms, the prisoners sought the “Liberty of the Yard” or “Liberty upon Bonds” to move outside their cell or return home for a short time. For example, the captured crew of the British schooner Sally, captured on October 27, 1778 and brought to port in New Hampshire, desired to return to New York. Stephen Baxter and his son, who were both prisoners from New York, wanted to be released, and they offered bonds in return for their release; other individuals suspected of loyalism requested to be released from prison without paying. Many prisoners groaned about the “foul air, unsanitary conditions, and vermin,” simply wanted the “Liberty of the Yard” for a reprieve from the prison’s conditions. Another petitioner noted how another prisoner was “exceedingly Desirous of the Liberty of the Yard or any other Liberty your Honors will be pleas’d to grant him now in Distress.”

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154 John Molony to Committee of Safety, October 1, 1777, “Petitions: July 1776-1777,” Nh-Ar; Crew of the Sally to the Council and House of Representatives, October 27, 1778, “Petitions: 1778-Sept 1779,” Nh-Ar.
156 Hammond, Tories of New Hampshire in the American Revolution, 32; For example, see Philip Carrigain and Jonathan Gove to Committee of Safety, October 6, 1777, “Petitions: July 1776-1777,” Nh-Ar. According to the Oxford English Dictionary, it is difficult to know when the term “Liberty of the Yard” first came to be used in this period. The English used the term “yard”—as in prison yard—as early as 1777, but the term “Liberty of the Yard” as not used until 1828 (Oxford English Dictionary online, s.v. “yard.” Last updated March 11, 2010.)
157 Jonathan Gove and Phillip Carrigain to the Committee of Safety, October 6, 1777, “Petitions: July 1776-1777,” Nh-Ar.
with as such Said Against them as is against me” were “Sent home and the other [was
given] the Liberty of the Yard while I am Kept Shut up, worse treated than any
Criminal Ever used to be treated.”

The concrete meaning of liberty also applied to situations when the prisoner
wanted to be released after providing proper sureties for his return. William Vance, a
prisoner from Londonderry, “beseech[ed] the honble Committee to take my case into
their most serious Consideration & grant that I may against be restored to my Liberty
upon Bonds Parole or any other way which the Safety of the State requires.” The
reason these examples present the concrete aspect of liberty is because they are
seeking something specific, such as use of the yard or permission to return home.

In May 1777, Josiah Bartlett told William Whipple that “Col. [Stephen]
Holland against whom we have clear proof has escaped out of gaol and
notwithstanding our utmost vigilance has I fear got to the enemy.” One prisoner,
Joseph Story, was accused of aiding Holland escape and, in turn, was also accused of
loyalism. Story confessed:

that his Fault, so far as he has been blameable was an Error merely on
the side of Humanity, and not from any hope of Gain or Reward of any
affection to the Glorious Cause we are engaged in, nor a Want of a
Sense of his Duty to the State in the important Trust then committed to
his Charge, or Want of a most ardent Desire to discharge it with
Fidelity but merely for the inconsiderate Error of having indulged, for
a Moment, a Fav'r to a Prisoner, whole Circumstances & apparent
indisposition of Body, seemed to demand it.

158 John Molony to Committee of Safety, October 1, 1777, “Petitions: July 1776-1777,” Nh-Ar. It
should also be noted how Molony globalized his struggle in the history of all experiences of prisoners
in jail: his was the worst—“ever.”
159 William Vance to Committee of Safety, September 6, 1777, “Petitions: July 1776-1777,” Nh-Ar.
160 Josiah Bartlett to William Whipple, May, 8, 1777. The Papers of Josiah Bartlett, ed. Dr. Frank
161 Joseph Story to Committee of Safety, May 19, 1777, “Petitions: July 1776-1777,” Nh-Ar.
While Story did not “pretend to wholly exculpate himself from Blame,” he sought to distance himself from the charge of loyalism; his only crime was helping Holland escape.\textsuperscript{162} By stating that he and the revolutionaries were both engaged in the same “Glorious Cause,” he actively associated himself with the revolutionaries’ vision and with the revolutionaries themselves.

Oliver Parker of Stoddard, too, affirmed his innocence and vehemently denied any Loyalist activity by using the language of the Revolution. He reminded the revolutionaries that while they had “deemed [him] an Enemy to his Country,” they “had not ye Least proof of his being inimical to his Country.”\textsuperscript{163} In his proclamation of innocence, Parker indicated how the Committee members “proceed to act as they did with regard to him merely upon malice, and that he openly Challenges any person or persons whomsoever to prove the Least thing against him with respect to his being in any way or manner disaffected to the Cause of Liberty, wherefore he prays your Honors to point out some reasonable and just method for him to make his Innocence in ye premises manifest, and to be Liberated from ye unjust decree of s\textsuperscript{d} Committees.”\textsuperscript{164} Much like Story’s mention of the “Glorious Cause,” Parker’s insistence of his amicable posture towards the “Cause of Liberty” shows how he used the language of the Revolution to prove his innocence.

On August 25, 1777, thirty-two residents of New Boston, New Hampshire, signed a petition on behalf of Dr. Jonathan Gove, a man they had an “intimate acquaintance with…for years before the commencement of this unhappy and

\textsuperscript{162} Joseph Story to Committee of Safety, May 19, 1777, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{163} Oliver Parker to Committee of Safety, July 18, 1776, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{164} Oliver Parker to Committee of Safety, July 18, 1776, “Petitions: July 1776-1777,” Nh-Ar.
unnatural War.”¹⁶⁵ They sought “to assure” the Committee of Safety that Gove was amicable to both the “civil and military government of this state and that the Town is now considerably indebted to him for what he said Paid over and above his Proportion for the support and maintenance of the Present War.”¹⁶⁶ The Committee of Safety, according to this petition, had accused Gove of “being inimical to the American Cause & for contriving & plotting the Distuction of this and the other united states & assisting the Enemies thereof.”¹⁶⁷ With this charge, they “Earnestly Pray[ed]” that Gove would once more “have his Liberty.”¹⁶⁸ The premises presented by these petitions for why Gove was imprisoned demonstrate how suspected loyalist activities were framed within the events of the period. First, by labeling the revolution as an “unhappy and unnatural War” the petitioners, a dangerous choice of words for the period, signaled their discontent with the current war.¹⁶⁹ Furthermore, there should have been no doubt, according to these citizens of New Boston, that Gove had no loyalist tendencies since he demonstrated his good will towards the “civil and military” war efforts.¹⁷⁰ Since the members of the Committee of Safety were responsible for “raising, equipping, supporting and discharging of the troops,” the distinction made that Gove had always supported the “civil and military” war efforts seems to show that petitioners put forth certain points

on purpose.\textsuperscript{171} The accusation that he aided the enemy and desired the ruin of “the American cause” was false, they argued, and that his liberty should be returned to him since he was innocent.\textsuperscript{172} The petitioners who proclaimed their innocence, or the innocence of others, did so by engaging with the language of the Revolution. These petitioners from New Boston, like Story and Parker, combined the phrase “the American cause,” a trope for the Revolution at the time, with the language of innocence.

The notion that the lack of liberty was the same as death was a common belief among the loyalists. Three other prisoners—Daniel Smith, David Storm, and Thomas Leonard—declared: “[O]ur Plea is Innocence and we doubt not but your Honours in your great Goodness & Humanity will hear us Indulgence & Compassion!”\textsuperscript{173} In their petition they concluded: “We cannot think that Suspicions…are a sufficient ground to deprive the Subject of his Reputation or Property, much less, of his Liberty, so dear to all, and without which Life itself is but an intolerable Burthen.”\textsuperscript{174} Other prisoners, like William Torrey and his fellow petitioners, wrote: “with all the earnestness which liberty can inspire, or the loss of it create” for a particular “point (which however indifferent to others) is to us of the highest importance this side the grave.”\textsuperscript{175} While neither of these petitioners mention death, their rhetoric presents that life is worthless without liberty.

\textsuperscript{171} Agnes Hunt, \textit{The Provincial Committees of Safety of the American Revolution} (Cleveland: Press of Winn & Judson, 1904), 22
\textsuperscript{172} New Boston Residents to Committee of Safety, August 25, 1777, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{173} Daniel Smith, David Storm, and Thomas Leonard to Committee of Safety, May 27, 1777, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{174} Daniel Smith, David Storm, and Thomas Leonard to Committee of Safety, May 27, 1777, “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{175} William Torrey, et. al. Committee of Safety, June 30, 1777, “Petitions: July 1776-1777,” Nh-Ar.
The revolutionaries declared similar sentiment in their rhetoric, as well. Patrick Henry, the influential revolutionary, declared in a famous speech in March 1775, “give me liberty, or give me death!” Josiah Bartlett, too, voiced similar sentiment: “We have nothing to hope for, if conquered, and our misfortune in war ought to animate us the more to diligence, firmness and resolution; to conquer is better than life, to be subdued infinitely worse than death.” And recalling the Battle of Bennington, New Hampshire General John Stark declared: “Live free, or die—Death is not the worst of evils.” As one author has noted: “Liberty was the most cherished right possessed by English-speaking people in the eighteenth century,” and it is evident that this was true for both revolutionaries and loyalists.

The language of the Revolution was not only created by the revolutionaries, but the loyalists, too, contributed to the discourse. Evidence suggests that the first person to use the phrase “American Revolution” was a loyalist from New York imprisoned in New Hampshire in 1777. In his petition to the Committee of Safety requesting release, “at the Beginning of the American Revolution he was by the Populace of his Vicinity against his Will investid with a Livery of their Ordaining — in which he cut a very uncouth figure, as was as ill Suited as David in Saul’s Armour — and last Fall he was Seized, imprisoned, abused, driven about on Foot three or four

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Hundred Miles, and at Length confined to this Town.”\textsuperscript{180} While the \textit{Oxford English Dictionary} contends that the first use of the term was in 1779, this petition proves that its first use was two years earlier, and that it was created by a suspected loyalist.\textsuperscript{181}

John Adams, the famous revolutionary from Massachusetts, framed the importance of liberty in the founding of America in \textit{A Dissertation on the Canon and Feudal Law} (1765): “[i]t was not religion alone, as is commonly supposed, but it was a love of \textit{universal Liberty}” that embodied the “great struggle, that peopled America.”\textsuperscript{182} For the English, liberty was \textit{the} central aspect of their being.

The “language of the Revolution” included other phrases, too, such as “Cause of Liberty” and “Blessings of Liberty.” In 1778, Thomas Atherton, Benjamin Whiting, and Jonathan Gove, all three prisoners in the Exeter jail, wrote: we “humbly pray your Honors wou’d be pleased to consider their hard Confinement and permit them to return to their suffering families and Business and to enjoy the Blessings of Liberty in common with their fellow Subjects and as in Duty bound will ever pray &c.”\textsuperscript{183} Again following the notion of “language of the Revolution,” the phrase “Blessings of Liberty” would then be used again in the preamble to the United States Constitution.

\textsuperscript{180} “Jerry Weaver” to Committee of Safety, March 18, 1777, “Prisoners from New York,” “Petitions: July 1776-1777,” Nh-Ar). (A Jury Weaver is listed, \textit{NHSP}, VIII, 382) New Hampshire leader Josiah Bartlett would later use the term in 1779: “The observations on the American Revolution which you write you sent in Feby or March have not come to hand” (Josiah Bartlett to William Whipple, August 21, 1779, \textit{The Papers of Josiah Bartlett}, 269).

\textsuperscript{181} (\textit{Oxford English Dictionary} online, s.v. “Americana Revolution.” Last updated March 11, 2010.)

\textsuperscript{182} John Adams, \textit{A Dissertation on the Canon and Feudal Law} (1765)

\textsuperscript{183} Jonathan Gove, et. al. to Committee of Safety, June 2, 1778, “Petitions: 1778-1779,” Nh-Ar.
The “Cause of Liberty,” which included phrase like “Glorious Cause,” was the *raison d'être* of the American Revolution.\(^{184}\) In a petition the town of Nottingham’s Committee of Safety of Nottingham sent, they wrote that they had a “Strong Suspicion that one Benjamin Whitcker was Inemical to this his Distressed Country and that he frequently went about Saying and Doing Such things as he ought not to have done as being prejudicial to the Cause of liberty and the welfair of America.”\(^{185}\) In a broader context, Patrick Henry of Virginia “spoke of the “[t]hree millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us.

Loyalist and revolutionary alike summoned the “cause of liberty” during the American Revolution. Liberty in its figurative sense became a trope used by both sides, which alludes to the closeness of their community and the porosity of revolutionary discourse in New Hampshire. The fact that both loyalist and revolutionary employed the term “liberty” similarly illustrates their shared understanding of the discourse of natural rights during this period. It also establishes how the loyalists were pushing back on the revolutionary ideology and their attempt to prove that the Committee of Safety, like the English king, was tyrannical.

In their petition dated June 30, 1777, William Torrey—a perhaps too-apt name for any figure imprisoned for loyalism—and his fellow prisoners hoped the Committee of Safety would allow him to write freely “with all the earnestness which liberty can inspire, or the loss of it create” for a particular “point (which however


\(^{185}\) Nottingham Committee of Safety to Committee of Safety, October 14, 1776, “Petitions: July 1776-1777,” Nh-Ar.
indifferent to others) is to us of the highest importance this side the grave.”

In another part of the same petition, Torrey and the other petitioners continued to reference liberty in a figurative context. They declared: “It is further evident that with these reasons, we commend, ourselves and our liberties in your hands—Tis yours to say whether we shall return to our wives, our children and our friends—or still continue without any crime of ours, to breath the noxious fumes of a prison, in a land, were liberty, and air should be equally free to all.”

Though some petitioners stated outright what they desired without providing a thorough argument, Torrey and his fellow prisoners took a different approach: they determined that a lecture to the Committee of Safety reminding them about the importance of liberty was crucial to their strategy. The fact that Torrey and others equated liberty to air, something required for human existence, demonstrates how they viewed liberty as necessary for human life, lends itself to a discourse of natural rights.

The revolutionaries were looking to establish these “Blessings of Liberty” after, in their opinion, the English king usurped their rights. As Josiah Bartlett wrote in a letter to fellow New Hampshire resident and prominent leader of the Revolution, John Langdon: “I think there will be a final end of British Tyranny and this country soon enjoy peace, liberty and safety. Use your best endeavours to keep the spirit of the people; for our all is at stake, life liberty and fortune. We have nothing to hope for, if conquered, and our misfortune in war ought to animate us the more to diligence, firmness and resolution; to conquer is better than life, to be subdued

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infinitely worse than death.” With the revolutionary view examined alongside the loyalist writings, it is clear that some of the prisoners recognized this discrepancy between the revolutionaries’ mission and the means by which they were pursuing their goal. When the loyalist petitioners wrote that it was the Committee of Safety decision whether to continue to imprison them despite their innocence, they were engaging in the same revolutionary discourse when they wrote that it was the Committee’s decision whether to free them or force them “to breath the noxious fumes of a prison, in a land, were liberty, and air should be equally free to all.”

While not explicitly stated, the conjecture can be made that the purpose of many of writings of the loyalist petitioners was to show how similarly tyrannical, in their view, the Committee of Safety was to the English king.

The petitioners’ appeal to “liberty” may have been a last attempt to force the Committee members to consider the impact of their decision. If these petitions used arguments that not only the petitioners believed, but also thought the members of the Committee of Safety and General Court would take kindly to, then reminding them about the discourse of liberty and the unhealthy conditions in a single stroke may not have been a bad idea. By this strategy the petitioners showed a great deal of deference for authority, and asserted that the decision to release them was in their control, while still providing an ultimatum of sorts and implying culpability of the members of the Committee of Safety for their misery.

When the petitioners gave the challenge to the Committee of Safety to free them or to “continue without any crime of ours, to breath the noxious fumes of a

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prison, in a land, were liberty, and air should be equally free to all,” they concluded a stirring critique of the Association Test and questioned the legality of their imprisonment on other terms besides natural rights.

In March 1776, the Continental Congress in Philadelphia urged the states to initiate a process to test the citizens “as to their sentiment for or against the Revolution,” a code for seeking out Loyalists in a population. On April 12 the test began to be administered to white males over twenty one years old, deemed mentally capable of taking such a test. It stated: “We, the Subscribers, do hereby solemnly engage, and promise, that we will, to the utmost of our Power, at the Risque of our Lives and Fortunes, with Arms, oppose the Hostile Proceedings of the British Fleets and Armies against the United American Colonies.” Roughly sixty-two percent of the designated population took the oath. Moreover, since one of the purposes of the Association Test was to “cause all persons to be disarmed within their respective colonies, who are notoriously disaffected to the cause of America,” the Association Test showed the authorities whose arms to confiscate, so they could not be used against the “Cause of Liberty.”

In the summer following the collection of the oaths, Torrey and company submitted their petition, protesting how “We have long groan’d under confinement for refusing to take an Oath,” and “singled out, and as it were, dismembered from the rest of the Community.” And they had plenty of company with others who were dismembered from society. Only sixty-two percent of the eligible population took the

190 Upton, Revolutionary New Hampshire, 50.
191 Upton, Revolutionary New Hampshire, 50.
192 Upton, Revolutionary New Hampshire, 51.
193 Upton, Revolutionary New Hampshire, 121.
oath; Torrey and his fellow prisoners who refused to take the oath were a part of a much larger group who were “dismember[ed].”

Torrey and his companions in conversation with Vance indicated the role of the individual members of society as tools of surveillance and accusers in the war against loyalism. A consequence of being cut off was how such division, Torrey and company argued, “has itself a tendency to create jealousy and dissatisfaction.”

In a separate but related context, a similar sentiment was exhibited by William Vance in September 1777 when he wrote how: “false Informations” were spread by “Men who delight in Wickedness and take great Pleasure in the Misfortunes of others[.]”

Silently gesturing towards the sentiments of “jealously and disatisfaction, Vance wondered if “is there one Man (give me cause to ask) in all the united states of whom every body speaks well? I believe not,” he alleged, and therefore deemed he had the cause to ask which “stranger” or other person who “by evil speeches should endeavour to wound my Character, & make me miserable[.]” Vance’s dissatisfaction was not just directed with the authorities, but also with his fellow citizens of New Hampshire, who caused him great distress with their pernicious motives.

Continuing their discourse of innocence and questioning the terms and the legality of their imprisonment, Torrey and his fellow petitioners insisted that: “We have neither committed any crime against the state nor are we charged with any.” The “crime,” as they saw it, was that “[w]e have only refused taking an Oath, which

195 William Vance to Committee of Safety, September 6, 1777, “Petitions: July 1776-1777,” Nh-Ar.
196 William Vance to Committee of Safety, September 6, 1777, “Petitions: July 1776-1777,” Nh-Ar.
...thousands, perhaps would refuse (over it tenderd to them) upon the very principle that we refuse it.”\textsuperscript{198} Continuing the tradition of their fellow prisoners, these petitioners also globalized their struggle to include others beyond them.

Some petitioners also objected to the oath, in principle. “The multiplying of Oaths has ever been thought of the most dangerous tendency, not only as it weakens their force, but corrupts the morals of the people.”\textsuperscript{199} Therefore, Torrey and company asserted: “we cannot but object to this Oath in particular as it is partial and illegal. And to oaths in general of this kind—as they do not effect the purpose for which they are designed but only tend to corrupt and ensnare—producing worse evils (if possible) than those they are design’d to prevent.”\textsuperscript{200} Using a legal approach infused with a discourse of morality, these petitioners fought against the terms of their imprisonment by questioning the legality of their imprisonment due to the Oath, which they believed to be a corrupting force in society.

In contrast to those who used illegal means to leave jail—ie. escape—petitions to the Committee of Safety and General Court were legal documents, and some petitions used a legal-based approach. Torrey and his co-signers used a legal-based approach to argue against their imprisonment; they challenged the premise of the new political establishment. The oath, they believed, was “partial and illegal,” and therefore the population should not be obligated to take it. If, by extension, since the oath was illegal, then so was their imprisonment.

\textsuperscript{200} William Torrey, et. al. Committee of Safety, June 30, 1777, “Petitions: July 1776-1777,” Nh-Ar. Also, see Inhabitants of Windham to Committee of Safety, December 16, 1782, “Petitions: June 1, 1781-February 15, 1783,” Nh-Ar; New Ipswich Committee of Safety to Committee of Safety, “Petitions: June 1, 1781-February 15, 1783,” Nh-Ar.
In declaring their innocence Torrey and his fellow petitioners demonstrated remarkable acceptance of their imprisonment and worked within the legal framework of the period. “We are not conscious of any thing in our sentiments or conduct that merit such discrimination,” they contended, “but still, are willing, if any Crime be alleged against us to stand an impartial trial—and shall submit without murmuring to its decision.”

Perhaps these petitioners designed their petition to show such extraordinary deference that the Committee would feel compelled to release them. Or perhaps, since such obedience to authority was a common trait of the eighteenth-century political climate, they did so because such action was expected at the time.

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Chapter Three: “the Cries of my Wife and Sufforing Babes”

The prisoners were not the only ones to negotiate the new political reality: their families and communities, too, were forced to confront life without their husbands and fathers. The prisoners, their families, and their communities wrote personally about the struggle they had been placed under as a result of the actions of the Committee of Safety and General Assembly. Distressed, sometimes agitated, but most often distraught, these petitioners wrote extensively about the hardships they experienced as a result of the actions of the revolutionaries. The amount of space devoted to the subject of family varied in these petitions sent to the state officials, but the near-unanimous chorus of the cries concerning the family was prominent. While it is difficult to investigate the extent to which the claims made about each family’s condition was true in these petitions, the stories they put forth were nevertheless compelling, heart-wrenching, and wholly plausible. Despite the dramatic rhetoric, these stories represent more than the uses of contemporary tropes: they showed the real-life consequences and the human cost of the imprisonment of suspected loyalists on families.

Husbands, wives, and community members invoked the family in their petitions. The prisoners, who were male, wrote about their families briefly and invoked them as the central reason they needed to return home; others wrote at length and dwelled on the distress of their families. Riddled with emotion-filled writing, these petitioners implored the Committee of Safety at nearly every chance to grant them the opportunity to return home.
Family members and townspeople also sent a number of petitions to the Committee of Safety and General Court. They pleaded for a prisoner’s release so that individual could return home and care for their family and community. The wives whose husbands had absconded sometimes wrote to the authorities to request assistance for their families since their husband was not able, or not willing to provide assistance. These wives used similar jargon as the males’ petitions, demonstrating that the women had an extensive vocabulary for how to speak of their own, real condition. Community members wrote to the state authorities, as well, insisting that the prisoner posed no danger to society and was needed at home. At times, they also insisted that an individual remain imprisoned or exiled from their community based on their threat to the community.

Many prisoners mentioned their family only briefly and did not elaborate on the situations of their wife and children. As William Torrey and three other men, who were imprisoned for failing to take the Oath of Allegiance, concluded in their lengthy petition against the Association Test in June 1777 that it was up to the Committee of Safety “to say whether we shall return to our wives, our children and our friends” or to remain imprisoned.\footnote{William Torrey, et. al. Committee of Safety, June 30, 1777, “Petitions: July 1776-1777,” Nh-Ar.} William Vance, another prisoner who spent many months in prison mentioned his “distressed” family and Robert Fulton requested more assistance “to do justice to his family.”\footnote{William Vance to Committee of Safety, June 20, 1777, “Meshech Weare Papers,” Nh-Ar.} So, too, William Lovegrove mentioned his family only briefly when he wrote how he was “destitute of Money and Frinds, and unable to live on the Common Fare of Prisoners, and wishes to return to a destitute Wife & eleven Children who need his immediate Assistance,
after so long an Absence,” and Stephen Holland when he wrote how the sale of his estate would be “detrimental and distressing to your Petit’ and family.” Examined in a vacuum, these petitioners seem to use the family as a trope—as a way to externalize their suffering to those outside the prison cell. By only granting their family a mere mention, one wonders if they simply included them as an afterthought or to seek pity from the Committee of Safety. Yet, in the context of a larger body of prisoners’ petitions, it seems that including the family, if only briefly, was far from a second thought.

Some prisoners mentioned the everyday cost of their imprisonment, such as the inability to have contact with their families. The request to be relocated, usually to Connecticut, was another request submitted, singularly by the prisoners from New York so that they could tend to their business and family affairs. In January 1777, Ephraim Wheeler and Ara de Long requested the “Liberty to Repair to the Town of Kent in the state of Conetecut, which will be near two hundred miles Nearer our Familys then we are at this State.” The transfer would relieve “the meloncolly situation of our Familys & the Extream Difficulty of hearing From them.”

Earlier, Samuel Mott, a New Yorker, stated that he was able to acquire “authentick Intelligence,” but not all prisoners from New York had such a luxury, as is evident from the case of Wheeler and de Long.

Their request, Wheeler and de Long argued, “cannot possibly give any umbrage to the state of New York or any one Person Friendly to the American cause.”\textsuperscript{207} It is unclear at first look why such a request would not give the Committee of Safety any pause, especially since they did not request to be imprisoned while in Kent. Perhaps, they thought, that the fact that they couldn’t hear from their families, who were in a distressed state, was enough justification for such a request.

Alexander Haire, Samuel Mabbitt and Joseph Mabbitt, all prisoners from New York, requested a transfer, too, in February 1777 to be closer to their families. They reasoned that their “Confinement within the State of Connecticut,” especially the towns of New Milford and New Fairfield, would provide “as much benefit & Security…to the State of New York” as being imprisoned in New Hampshire.\textsuperscript{208} For their own sake, they desired to be moved to Connecticut so that they could more “frequently hear from our respective families, be visited by them, and have opportunities to give such Directions about our Domestick Matters, as their varying Circumstances may require,” such as their “husbandry business.”\textsuperscript{209} Carrying on the matters of their business, they figured, was important for their town’s interests, too. If their business was doing well, their families would be financially stable, so the state of New York would not have to help them, and any creditors they had could be paid.

\textsuperscript{208} Alexander Haire, Samuel and Joseph Mabbitt to Committee of Safety, Feb 10, 1777, “Prisoners from New York,” “Petitions: July 1776-1777,” Nh-Ar.
\textsuperscript{209} Alexander Haire, Samuel and Joseph Mabbitt to Committee of Safety, Feb 10, 1777, “Prisoners from New York,” “Petitions: July 1776-1777,” Nh-Ar.
“[E]ven the United States are in some measure interested” about the success of their business, they argued.210

Petitioners, like John Molony, most likely due to the stress he was under, rambled about the wretched state of his family. In October 1777, he wrote at length about how he and his family were in an “unhappy Situation.”211 Applying for the “friendly assistance...of the Honble Committee,” he wrote, “all I request is to Return to my Poor Distress’d Family.”212 His wife and three children, the eldest was six years old, had “not Afriend...to Give them the Least friendly Assistance, my Little Substance Gone to wreck & Ruin my self Shut up here with Not a penney to subsist on but what I Borrow.”213 His own distress was mostly likely caused by his actions when he “talked unadvisedly Enough for Propensed Mallice,” but, as he swore, “I would not act up to what Mr Atkinson was Pleas’d to Insinuate.”214 He asked the Committee of Safety to “think of these “Curcamstances and Judge whether an Infidel would Leave his Distress’d famaly To Go to the Enemy,” but nevertheless argued that “if the Honble Committee Should Prove Obdurate & Inflexible to the Cries of my Wife and Sufforing Babes urge that I and my family may Depart the Cuntry to any Part your Honours Shall think Proper except to the Enemy.”215 Perhaps as an act of guilty conscience, desperation, or good faith, Molony, unlike most petitioners, requested to leave voluntarily.

211 John Molony to Committee of Safety, October 1, 1777, “Petitions: July 1776-1777,” Nh-Ar.
212 John Molony to Committee of Safety, October 1, 1777, “Petitions: July 1776-1777,” Nh-Ar.
213 John Molony to Committee of Safety, October 1, 1777, “Petitions: July 1776-1777,” Nh-Ar.
214 John Molony to Committee of Safety, October 1, 1777, “Petitions: July 1776-1777,” Nh-Ar.
215 John Molony to Committee of Safety, October 1, 1777, “Petitions: July 1776-1777,” Nh-Ar.
One month later, in November 1777, John Molony co-authored another appeal with five other prisoners outlining how “the miseries which must necessarily devolve, upon Men & their families, are beyond Discription, when they view their present unhappy Situation depriv’d of every Earthly Comfort….When they look forward to that awful Period…when their disconsolate wifes will be obliged to hear the dreadful cries of their innocent and starving Babes beging Bread in vain. what must the Misery of such People be? what would they not give for relief? verify any thing.”

Instead of focusing on the charges brought before them, these latest petitioners diverted the attention away from their lives and instead to the “Misery” to their families and their children who were “starving.” The phrase “innocent and starving Babes beging” shows how, as they argued, the Committee of Safety was punishing their children instead of them, and was another strategy, perhaps, to push for mercy for their release.

Dr. Jonathan Gove, a physician and important resident of New Boston, New Hampshire, used similar language as the previous petitions when he explained why he was needed at home. “[I]n a State of the greatest Misery & Distress,” Gove “prostrate[d] him-self at…[the] Feet” of the members of the Committee of Safety and urged them “to view” his situation “with Eyes of pity & compassion.” He described his “truly deplorable” situation, and he implored the Committee of Safety to “grant him that Relief which he & his Family so much Needs.” At the time, his family was “in the height of Distress”: his wife was “without the least assistance

216 Philip Carrigian, et. al. to Committee of Safety, September 1, 1777, “Petitions: July 1776-1777,” Nh-Ar.
accompan’d only with two Infants No Person to witt a stick of Wood, to take the least care of the Barn, to do the least Arrand in any time of Distress—at more than half a Miles distance from the Nearest Neighbour, in fine surrounded with almost every Distress, & at one stroke made wholly destitute & miserable.”

Beyond going to great lengths to painfully explain the intricacies of his family’s problems, Gove argued that his imprisonment by the Committee of Safety, in “one stroke,” caused his family to become “wholly destitute & miserable.” By providing this vast detail, Gove made the distress of his family more convincing. Whether he chose to include such detail to be more believable is unknown, but certainly the emphasis he placed on his family’s condition proves his intent to demonstrate the extent to which his family was in trouble. This focus on the human impact of the imprisonment also diverted the attention away from the prisoner’s affairs and towards the dismal situation his family experienced. Much like the method used by Molony and other petitioners, the prisoners emphasized their wives’ and children’s’ problems to divert revolutionaries’ attention away from the reason they were incarcerated and instead focus on helping the wives and children, and not necessarily the prisoners.

Some petitioners were less aggressive and argumentative and instead appealed to the humanity of the members of the Committee of Safety. Sometimes, in doing so, the anguish they and their family were experiencing was evident due to the specificity of the stories, suggesting that these petitioners did not simply “construct” false narratives, but that the reports reflected the real cost and severe impact of imprisonment. Whether Molony’s and Gove’s families were truly in such a miserable state is unknown, and it is impossible to conclude whether or not these arguments were true.

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were a ploy. Although based on the effort to construct such a story, one can comfortably assume their stories were true. In general, these arguments were what Molony and Gove believed would release them from prison. To argue that these situations were totally constructed seems misguided; still, the fact that these petitioners constructed this argument demonstrates the importance of the family during this period. It is evident that the use of “the family” had no limits: the human cost of these imprisonments was detailed over and again, from one wrenching story to the next.

Prisoners were not isolated from their families entirely: it is evident from their petitions that they knew what was going on at home. Samuel Mott, a prisoner from New York, detailed his “Difficult Situation”: he was “far Removed from his Family and Estate[,]... his Dayly Expences are very great...[and] his Supplyes are almost at an end that he has no prospect of any futer aid.”220 He was one of very few prisoners who actually wrote that he had recently received information. “[I have] very lately Receivd authentick Intelligince of the Difficult Situation of His Distressed Family not only of being Deprived of its head in his Removal but also the Inhumed Trouble the sickness of his Wife, to Whome under divine providence in his last fare well he committed the care of his infant Family your Petitioner being fearfull that her

220 Samuel Mott to Committee of Safety, December 18, 1776, “Prisoners from New York,” “Petitions: July 1776-1777,” Nh-Ar. Samuel Mott’s plea confirms historian Laurel Thatcher Ulrich’s claim that during this period “[t]he husband was supreme in the external affairs of the family. As its titular head, he had both the right and the responsibility to represent in its dealings with the outside world.” These prisoners’ reasons for their release, especially in terms of returning home, varied, but what is evident is that one prominent reason is that they felt the need to be home to take care of their family (Laurel Thatcher Ulrich, Good Wives: Image and Reality in the Lives of Women in Northern New England (New York: Alfred A. Knopf, 1982), 36.)
sickness will prove fatal,” he wrote. Mott, unlike others, mentioned specifically that he obtained “authentick Intilligence” from home about the “Difficult Situation” his family was in, but there can be no doubt that, through one way or another, the prisoners knew about their family’s current situation since, in many cases, they wrote in explicit detail about the happenings at their home. It is also important to note that Mott wrote how this “intelligence” was “authentick,” indicating that other “intelligence” he received was perhaps faulty. Then again, he may have used the phrase “authentick” to make a stronger case for his release. In all, Mott’s rhetoric revealed the potential problems these prisoners had receiving reliable information about family and business matters, and their preoccupation to prove to the revolutionaries that their stories were true.

Whether these people were actually in such a physical state is difficult to determine, but the extent to which petitioners wrote about sick and dying family members is conspicuous. As has been seen with the examples of Gove’s and Molony’s petitions, a family member or more who was sick or near death was commonly mentioned in these petitions. While there was an implicit understanding in the earlier petitions that the male prisoner was hoping to depart from jail in order to help his currently helpless family, Mott presents the situation far more explicitly. His urgent need to return home was facilitated by his wife’s worsening condition. One of the petitions from Stephen Baxter, a loyalist transported from New York, provides the most stirring example of a prisoner writing about his sick and dying family back home.

Samuel Mott to Committee of Safety, December 18, 1776, “Prisoners from New York,” “Petitions: July 1776-1777,” Nh-Ar.
On March 22, 1777, Stephen Baxter and his son wrote to the Committee of Safety requesting to be released. Baxter, the father, bemoaned that after leaving New Hampshire on parole he did not arrive at his house in time to see his two children die:

your Humble petitioner Stephen Baxter was liberated by giving Bonds to the Honourable Court to go Home to Inspect into my Affairs and to see my family where to my Disagreeable mortification I found that I had come to Late to Be present at two of my Childrens last moments. That whereas finding my loving wife in a low state of life and that perhaps Heightened By the thoughts of mine and her sons Confinement so far from home that I was feign to Engage my faith to her that in about three weeks I would Return again hom with my son on the like security or I verrily Believe she could not survive my absence a moment.

Offering to pay any surety, including his “whole Estate,” or to attest to any oath, Baxter requested the “Indulgence” of him and his son to return home for another short period of time for “theres nothing would tempt me to offer such large consideration But the thoughts of my wifes Being so low if not Dead already and my own consciousness of performing every article of which I promise.” Baxter presented the impact and cost of his imprisonment on his family, as his wife is near-death as a result of her husband’s imprisonment. Yet he also detailed how he would offer his “whole Estate” to be able to leave to see his wife to order to keep a promise. Based on the extent to which Baxter discussed his own suffering, and his willingness to surrender his property, lends credibility to this petition.

While some petitioners, like Lovegrove, Fulton, and Holland, employed their family in brief, formulaic terms, others, like Stephen Baxter, went to great lengths to explain the dire situation of their family and why their release was necessary for the health of their family. Through the language he employed and the things he offered in return for his release, his fear of losing another member of his family was palpable. But most petitioners did not express such anguish, but their family situations did not elicit such misery. It is evident that the emotion exhibited in these petitions was based strongly on the prisoners’ current states, but an even stronger force was the circumstances surrounding their family. Certain stories, like those that include the death of children and the impending loss of other family members, lent themselves to a specific type of emotion-riddled language. Such language also forces historians to grapple with their own emotions when reading these petitions. The stories these petitioners told made the reader contend with their own emotions: a story about a rapidly dying family would have drawn more emotion from a reader than a discussion of property.225

A certain level of emotion, agitation, and anxiety is clearly visible in these petitions: everywhere from Vance’s mention of his distressed family to Baxter’s discussion of his two dead children and wife who was gravely ill.226 Levi Warner, a man accused of loyalism since he crossed into territory controlled by British forces, wrote from the Exeter jail on June 4, 1778 to plead his innocence and to detail the distress of his family: “your Honors Petitioner in tears most humbly begs as he has a

225 Although, as the case of Jane Holland proves, along with the cases of other Loyalists who lost their estates, there were plenty emotion-wrought petitions detailing the issue of property.
weakly wife and three children without any thing to support them but what she
procures by her daily labor that his Crime which was inadvertently done may be
pardoned and hopes his future conduct will convince his Countrymen of his firm
attachment to the cause & he will as in duty bound ever pray."

The case of Levi Warner is peculiar. As historian William H. Siebert has noted, Warner joined
Burgoyne’s army in the fall of 1777 and “served with the British during the entire
war” and was in Canada in 1783. Yet, this petition shows that, if Siebert is
correct, Warner left Burgoyne’s army, was captured, and then returned to the British
army upon his release.

Warner’s mention of crying speaks to a broader connection between
“sensibility” and the American Revolution. It is unclear whether Warner was
actually crying or whether the mention of tears was added as a product of the rise of
“sensibility” to elicit compassion for him from the Committee of Safety; perhaps both
were true. The day after his petition was sent the Committee of Safety released
Warner from prison.

Historian Sarah Knott in Sensibility and the American Revolution detailed
another instance in October 1780 where a British army officer cried as he was hanged
by the revolutionaries. This officer’s “peculiar and disruptive appeal,” according
to Knot, “reveals the deep logic of sensibility in the American War of
Independence….[I]f the officers’ tears were not shrewd performances of fake

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sentiment, manufactured knowingly for the benefit of a critical watching world, there
was nonetheless a tangible instrumentality in sensibility’s wartime logic.”232

Warner’s “tears,” too, can be viewed through this lens. In a similar instance to
Warner’s, Simon Baxter’s wife, Prudence, wrote that her husband, after fleeing to
Burgoyne’s army on the day of his execution for the charge of loyalism, “Repented
his Erro with a flood of Tears.”233 These “tears,” especially from men, gesture
towards the notion of sensibility during this period and the notion of the “Man of
Feeling.” Whether or not Warner and Baxter cried is inconsequential: the use of
“tears” shows that the petitioners believed mentioning their emotion would have an
impact on the revolutionaries.

As seen from the perspective of the wives, the distress and hardships the
families experienced during this period complement the stories told by the male
prisoners. Using similar language as the prisoners, many wives conveyed their
anguish and misery. In contrast to the petitions by prisoners, however, the wives did
not have to prove their own innocence, though some still added the topic of their
husband’s innocence. In fact, many female petitioners blamed the Committee of
Safety for putting their family in these position. Much like their husbands, when the
female petitioners wrote about their own suffering and the pain inflicted on their
children, the real-life, human consequences of their husbands’ imprisonments were
apparent.

233 Prudence Baxter to Council and House of Representatives, December 14, 1778, “Petitions: 1778-
1779,” Nh-Ar. “Erro” is “Error.” Also, see Wilbur H. Siebert, “Loyalist Troops of New England.” In
December 1778, according to Simon Baxter’s property claim to the British Parliament, Baxter had left
defeated from the Battle of Saratoga fighting under Burgoyne, and was in a Boston jail, about to begin
a nine-month stay, after being reassured that he would be safe in Boston and from there to Canada
(Simon Baxter, NH Claims, Nh, 135-136).
Writing about the loyalist women who fled to Eastern Ontario, Janice Potter-MacKinnon set forth a framework with which to examine the history of loyalist women during the American Revolution: “it must be stressed at the outset that Loyalist women cannot be studied in isolation. They lived in a world in which men made the major decisions. Further, the Revolutionary War was the backdrop for Loyalist women’s experiences, and men were the main actors in that conflict.”

Because these female petition writers were not in prison they did not have to contend with the “the pains, & Distresses of a seven Months close confinement…[finding themselves] environ’d with the walls of a prison, (in which there is no Fire-place) & …touch’d with the disagreeable sound of Bars & Bolts,” as Dr. Jonathan Gove once described. Instead, a separate set of circumstances surrounded the conditions under which the women wrote their petitions.

Correspondences from female petition writers concerned, in large part, the plight of their children and household; frequently, they mentioned their husbands’ imprisonment or escape to the British side as cause for their distress. In all, their experiences as Potter-MacKinnon notes are scripted by their husband’s actions. As Mary Beth Norton has noted in her discussion of female loyalists claims to the British Parliament after the war, much like their husbands the women’s “very phraseology—and the manner in which it differs from that of their male counterparts—can provide insight into the matrix of attitudes that helped to shape the

way they thought and acted.”\textsuperscript{236} This “matrix” includes different approaches to their situations and more emotional overtones to their petitions.\textsuperscript{237}

On September 13, 1779, Elizabeth Goss, a resident of Rye, New Hampshire, “With an Aking Heart and a trembling Hand” wrote to the Committee of Safety about her husband, a prisoner charged with loyalism.\textsuperscript{238} The “trembling Hand” phrase was not a ploy: her handwriting was indeed not steady. Elizabeth Goss desired the Committee of Safety to “Imagine” at their “feet an Unhappy Wife a Distressid Mother Pleasing for the Husband of Her Bosom & the Children of Her love.”\textsuperscript{239} Thinking of her son, Michael, who was born in March 1777, she desired most to avoid the coming winter months and hoped that “Me & My Infant to go with Him soon after what I have Suffer’d Can not think of Encountring the Distress which winter Presents.”\textsuperscript{240} Elizabeth Goss desired “Pity & Influence” of the Committee of Safety as she was “told it is in your Power to release my Husband if it be.”\textsuperscript{241} Goss, in her own words, could not “Describe what I feel at this time I have no freind no relation to apply to therefore I rely wholly On God & you—as soon as you can secure

\textsuperscript{236} Mary Beth Norton, “Eighteenth-Century American Women in Peace and War: The Case of the Loyalists,” \textit{The William and Mary Quarterly}, 3\textsuperscript{rd} Series, 33, No. 3 (July, 1976), 404.
\textsuperscript{240} Elizabeth Goss to Committee of Safety, September, 13, 1779, “Petitions: 1778-1779,” Nh-Ar. Also see, Jonathan Gove to Committee of Safety, February 9, 1778, “Petitions: 1778-1779,” Nh-Ar.
time from your other avocations Please sir to let me Know I am Hath by a line & oh
Sir Excuse & Imagine His honble from a Distress’d Woman from your Unhappy
Servant.242 Goss’ helplessness was evident in not just her handwriting: her prose, as
well, illustrates her pain and suffering.

As a result of the “Difficulties first arose Respecting Torry & Whig which are
as yet not Discharg’d,” Prudence Baxter, the wife of Simon Baxter, wrote that in
order “to Keep” her family “from beggerry & want” she must benefit from a “very
Small Share” of “the Treasury for the Publick use” and “the assistance of some
Frinds” who can also help her “Save a Small part of Land when the Extra Expences &
all Demands are” paid on her husband’s debts.243 Here Prudence Baxter confirms
Potter-MacKinnon’s thesis that the Loyalist women’s experience must be examined
in the context of the greater period.244 The cause of her family’s distress was not only
her husband’s actions but the “Difficulties” between “Torry & Whig” were also a
source of suffering.

Baxter hoped the General Court would “Relieve her in any Degree out of her
at Present Malencholy and unhappy situation in the way propose’d or any other so that
your pour pitioner may in some measure Injoy her Self & the Labours of Youth in her
advance’d age and State of Widowhood with her little Brede.”245 Without the help of
her husband, Baxter was forced to seek aid from the General Court. Also, her claim
of “Widowhood,” even though her husband was still alive, separated her petition from

243 Prudence Baxter to Council and House of Representatives, December 14, 1778, “Petitions: 1778-
1779,” Nh-Ar.
244 Potter-MacKinnon, While the Women Only Wept, 5.
245 Prudence Baxter to Council and House of Representatives, December 14, 1778, “Petitions: 1778-
1779,” Nh-Ar.
others. Her claim of widowhood demonstrates her desire to appeal to authorities using a particular and useful approach that other women were using at the time. More likely, with her husband gone, she was making the simple observation that her children were without a father and she was without a husband. Writing about soldiers’ wives, “[m]ost [female] petitioners were widows who had been left destitute....The real needs of the women as well as the constraints of the rhetorical form ensured that petitions would emphasize economic necessity, weakness, and despair. But many also testified to a strong belief that the widows had made real sacrifices to the state, and that the political system owed them something in return.”

In December of that same year, Prudence Baxter continued to be in a distressed state. Her husband was held in a ship in Boston Harbor and she felt compelled to scold the General Court. This time Prudence avoided any discussion of her husband’s confiscated estate and simply spoke of his return. She did not beg for neither “Riches nor honours—but for mercy,” for her husband who fled to the enemy nearly a year and a half prior in July 1777. His loyalism, Prudence Baxter wrote, was mistake he regretted: “ever since the day he join’d them [he has] ben sorrey for his Fault.”

As her husband blamed himself, Prudence Baxter blamed the revolutionary-controlled country. “The arms of America has spread Terrow thro the world,” she

246 Kerber, *Women of the Republic*, 87
wrote.\textsuperscript{249} Blaming the revolutionaries for “Terrow,” Prudence Baxter rebuked the Committee of Safety for causing such distress for her family. Yet she also recognized her husband’s actions.

While other wives, like Jane Holland and Sarah Little, would demand the return of their husbands’ estates, Prudence Baxter’s different approach reveals the personal choices made by the petitioners about the arguments they put forth. Baxter prayed the Committee of Safety members’ “mercy might not be Confined or Limited,” but “if we must perish we must perish,” she declared.\textsuperscript{250} “[O] spair him I humbly pray,” Prudence Baxter declared, “I ask not for his Estate—only for his Life under such Limitation as you in your wisdom shall see proper to alow.”\textsuperscript{251} Beyond the hyperbolic rhetoric, Prudence Baxter was aiming at a real problem her family had: without the aid of her husband to provide for her family, she and her children would remain in an exceptionally distressed state.

Some husbands who fled New Hampshire to a variety of locations, including New York City, Canada, or London, not only received help from their wives, but also their mothers. This was the case of Andrew Pepperrell, whose wife, Mary Ann, and mother, Elizabeth Sparhawk, petitioned the Committee of Safety. Andrew Pepperrell fled to England in the Winter of 1777, but as his mother, Elizabeth Sparhawk, assured the General court, “since his arrival in England, he has never accepted of any office, pension or allowance whatsoever, nor has he received the least recompense for his

\textsuperscript{249} Prudence Baxter to Council and House of Representatives, December 14, 1778, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{250} Prudence Baxter to Council and House of Representatives, December 14, 1778, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{251} Prudence Baxter to Council and House of Representatives, December 14, 1778, “Petitions: 1778-1779,” Nh-Ar.
loss of property.”\textsuperscript{252} Andrew’s “ardent desire” was “to return hither again.”\textsuperscript{253} Sparhawk asserted: “This is his native Country, the Country of his Ancestors, hon\textsuperscript{d}
while living with the highest employment in it – and here all that is dear to him still live—His friends, – his Parent – his Wife!”\textsuperscript{254} The Pepperrells were a part of the wealthy Portsmouth oligarchy and had positions of the “highest employment” before the war. Reminding the revolutionaries of the Pepperell family’s history, Sparhawk sought—unsuccessfully—to put her son in the context of the long history of New Hampshire, and thus firmly attached to the state.

The members of the Committee of Safety no doubt knew the Pepperrell name, and Elizabeth Sparhawk sought to remind the revolutionaries about the close ties in the prerevolutionary years the Pepperrells had to their community. In this instance, Sparhawk tried to force the revolutionaries out of the new political reality and remind them that in earlier times the Pepperrells and the revolutionaries not only lived peacefully together in the same community, but that Andrew Pepperrell’s ties to the community were much deeper than the new political reality. Furthermore, by recalling the prerevolutionary period, Sparhawk may have been also reminiscing about the period when her family was in power.

In a separate petition in May of the same year, Andrew Pepperrell’s wife, Mary Ann, wrote to the Committee of Safety, notifying them that she received a letter from her husband, who was in New York.\textsuperscript{255} The letter from Andrew Pepperrell

\textsuperscript{252} Elizabeth Sparhawk to Council and House of Representatives, March 22, 1779, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{253} Elizabeth Sparhawk to Council and House of Representatives, March 22, 1779, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{254} Elizabeth Sparhawk to Council and House of Representatives, March 22, 1779, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{255} Mary Ann Pepperrell to Committee of Safety, May 4, 1779, “Petitions: 1778-1779,” Nh-Ar.
directed Mary Ann “[t]o meet him, at the Lines at Kings Bridge, in order to embark with him for England.” Mary Ann was voluntarily exiling herself in order to be with her husband.

Mary Ann Pepperrell requested the Committee of Safety “to grant her leave to comply with her Husband’s orders,” and that she could be accompanied by “John Sparhawk…a Relation of her Husband’s, having been so kind as to offer to accompany her. She further prays that He may have leave, to go with her as far as the Lines aforesaid, & thence to return home.” These boundaries separated territory the British troops had captured from the colonists’ land, and “[t]he consent of the Committee of Safety was necessary before any one could leave the State and special permits were issued by it granting this privilege.” And many individuals who passed beyond the boundaries, like Levi Warner, were then prosecuted for loyalty. Therefore, it is not surprising that Mary Ann Pepperrell was compelled to request a note to allow her to pass this line without harm and be able to present such a note if captured.

“These petitions were frequently an irritant. The committees of safety that handled them often had far more momentous—sometimes desperate—concerns than the movements of individual civilians. But the committees could not afford to ignore these petitions. If a petition were granted, the committees were at least doing a disservice to the patriot cause by facilitating the reunion of families and thus improving enemy morale. But the effects could be much worse—they might

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257 Potter-MacKinnon, While the Women Only Wept, 30.
unwittingly be permitting the passage of a spy or smuggler. On the other hand, if they denied a petition, they risked burdening their own charitable facilities with women and children who could not support themselves and missed the opportunity to rid themselves of” a threat from loyalists.261

Sarah Little, the wife of another loyalist, Stephen Little, wrote to the Committee of Safety stating her intention was to leave the country with her husband. “[My] Husband hath lately informed her by Letter,” she wrote on September 22, 1777, that that he is settled in long Island, and hath advised her to apply to Authority for leave to come to him there, & also to bring her 4 Young Children and her Maid. Which if obtained, he will procure a Flag for the above purpose.”262 Sarah Little’s petition is useful because it shows that her trouble was not with the Committee of Safety, like Prudence Baxter’s experience, but instead Little’s problem was that her husband did not follow through on the plans they put together.

It appears that no action was taken on Little’s petition in 1777, and on November 6, 1780, Sarah Little wrote again to the Committee of Safety that she had not heard from her husband and believed he was still in England.263 Sarah Little returned to the often-seen argument that her husband’s departure caused the suffering of her four children since they have “been deprived of that dayly and constant assistance, in his Business, on which alone they principally depended for their Support.”264

261 Kerber, Women of the Republic, 85-86
Like many of the wives left at home by their husbands who absconded, Sarah Little faced the problem of her husband’s creditors, who had been harassing her. Even “her own, and Children’s Distresses, can neither Prompt the Generosity, nor invite the Pitty of his Creditors, nor can the Laws, in Force, redress, or alleviate” the problems she was experiencing with her husband’s creditors. Since no one else could help her, she detailed how she and “her Children must cast themselves wholly on an aged & decrepid Parent for Support (whose ability and Kindness are already too much exhausted) or realize the most painful Ideas of certain and approaching Want in the Winter Insuing, unless the Benevolence & Humanity of this Hon’ble Assembly should graciously interpose on hir Behalf.”

As with the examples of Elizabeth Sparhawk, Mary Ann Pepperrell, and Sarah Little, the family ties remained strong in many instances, even if one member of the family had absconded. The family network was strong for the Littles, too, as one of her relatives was helping her.

What is unique about Sarah Little’s petition is that she requested legislation be put forth to solve her problem. As she mentioned, there was no act to “redress, or alleviate” her troubles. She requested the Committee “take the Cause of the distressed into their gracious Consideration, and impower her by Act of said Assembly, in the Name of the said Stephen her Husband, to commence and prosecute to final Judgment and Execution, any Actions, She may think necessary for the Recovery of his Debts, for the Sole Support of her self and Children.” Sarah Little’s request here shows how, in the absence of her husband, she needed to be

266 Sarah Little to Committee of Safety, September 22, 1777, “Petitions: 1776-1777,” Nh-Ar.
“impower[ed],” but this empowerment was only available through the name of her husband. In many ways, Sarah Little’s example illustrates what Laurel Thatcher Ulrich has labeled a “deputy husband,” who was a wife who “shouldered male duties. These might be of the most menial sort…but they could also expand to include some responsibility for the external affairs of the family. A deputy was not just a helper but at least potentially a surrogate….Should fate or circumstance prevent the husband from fulfilling his role, the wife could appropriately stand in his place.”

Other women were “deputy husbands” during this period kept watch over their families’ estates, which was not a simple task since the local selectmen were ordered to confiscate the estates of loyalists.

On April 11, 1778, the Constable and Selectmen of Londonderry, in pursuance of the Confiscation of Act of 1778, sent to the state authorities an inventory of the estate of Colonel Stephen Holland of Londonderry. The local authorities wrote how they could “Possession of the Particulars of which are contained in the Inventory.” When the selectmen went to the Holland’s house to obtain the estate in May 1778, they wrote:

We found the wife and most of the family…in the Dwelling house…and She Refused to let us Enter and She had let great Part of the real Estate to Sundry Persons – The Insults we meet with are too gross to mention Please to Excuse a Specimen – She and her Accomplices Redicules and Despises the Authority and Laws of this or

269 Laurel Thatcher Ulrich, *Good Wives: Image and Reality in the Lives of Women in Northern New England* (New York: Alfred A. Knopf, 1982), 9, 36. Elizabeth Evans provides an interesting counterpoint for the wives of revolutionaries. She wrote: “Women fortunate enough not to have husbands blacklisted for treason were allowed to manage their husbands’ business affairs, acting as agents, in cases where the men were away at sea or fighting for the American cause during the Revolution (Elizabeth Evans, *Weathering the Storm: Women of the American Revolution* (New York: Charles Scribner’s Sons, 1975), 3.) Sarah Little requested to be an agent, and regardless of whether she was granted this position, the fact that she asked for such a position means that a Loyalists’ wife being an agent was in the realm of possibility.

270 Selectmen of Londonderry to Committee of Safety, April 11, 1778, “Petitions: 1778-1779,” Nh-Ar.
any of the united States and tells us to Let her See the man or Number of men that Dare touch her Property She Says She has friends that knows what is Law and that can and will Defend her and concludes with this that Col Holland will Return in a few weeks in Greater Honour and Glory then ever and tread on the neck of his enemies-- &c. 271

And in August of the same year, another petition was sent to the New Hampshire Council and House of Representatives detailing the difficult “State of things” with which the town authorities were having obtaining the Holland’s estate. “[W]e humbly apprehend that it will be wholly in vain for us To Pretend to Let S'd Estate to any Person So long as the S'd M's Holland and her family Inhabits the Same as She and her abbetters will undoubtedly take Every Sceme and Artifice in their Power to Damage any Person that might take the same.” 272

Five days after the Selectmen of Londonderry lamented about their difficulty in obtaining the estate, Jane Holland wrote that “by one fatal stroke” the town officials “depriv’d them of their all…[into] a State of Beggary & Want.” 273 She requested that “Part & Portion of that which was formerly her Own” be returned to her, and she had no doubt that such a request would be granted since she doubted the authorities could “turn a deaf Ear to the Cries & Calamities of the Miserable.” 274

In an undated petition, Jane Holland wrote to the Committee of Safety how she had “been cruelly abused, and violently forced away from her own house, by the Militia of Londonderry and carried a part of the way to Rhode Island, and with the greatest difficulty obtained” permission to stay in New Hampshire “five or six days”

271 Selectmen of Londonderry to Committee of Safety, April 11, 1778, “Petitions: 1778-1779,” Nh-Ar.
and would then “go to Rhode Island to the King’s Troops” to meet her husband who had become a member of the British Army.\textsuperscript{275} Her forced departure from New Hampshire was a “sudden and an unexpected Surprise,” and she requested more time to pack her belongings.\textsuperscript{276} At the time, she hoped the authorities would one day “grant her leave to come back for the Rest of Children and the Effects that the State allowed her.”\textsuperscript{277} Five years later when she desired to return, several dozens of residents in the New Hampshire community wrote adamantly that she not be able to return.

Jane Holland’s case is illustrative of Norton’s larger argument: the wives and children of Loyalists, who may or may not have shared their husbands’ sympathies, suffered at the hands of the revolutionaries. For women like Jane Holland, the community at-large would be as large as a source of trouble for her as were the local Revolutionaries.\textsuperscript{278}

Communities, too, had to adapt to the changing political reality. Not all petitioners were in prison; some were the townspeople writing on behalf, or against, those suspected of loyalism. Stephen Baxter and his son from New York requested to the Committee of Safety that he benefit from an “Indulgence.”\textsuperscript{279} He wrote that he had a “Recommendation from the Chairman of the Committee in the place where I Belong of my Behaviour when at Home and thinks that the like Indulgence might Be

\textsuperscript{275} Londonderry Selectmen to Council and House of Representatives, August 7, 1778, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{276} Londonderry Selectmen to Council and House of Representatives, August 7, 1778, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{277} Londonderry Selectmen to Council and House of Representatives, August 7, 1778, “Petitions: 1778-1779,” Nh-Ar.
\textsuperscript{278} Mary Beth Norton, “Eighteenth-century American Woman in Peace and War,” 398.
granted to my again without any apparent Danger to the American States.”

Evidently, not all relationships between citizen and local authority were hostile; in Baxter’s case it was amicable and cooperative. The members of the New Hampshire Committee of Safety would likely have taken kindly to Baxter’s reference from another revolutionary in New York. Baxter’s inclusion of the counsel of the official from his town in New York illustrates the extent to which the perceived influence of the revolutionaries crossed state lines.

The prison itself was its own community. The extent to which prisoners were able to speak with each other and elicit each other’s aid demonstrates that despite being incarcerated the prisoners still had contact with one another, most likely in the prison yard. This principle has already been observed since some prisoners, like Stephen Holland and Joseph Story, conspired in Holland’s escape from the Exeter jail. Other interactions between prisoners were far less illicit and continue to demonstrate an ethos of caring and cooperation the prisoners had in jail. John Lawrence, with a “Disorder in [his] Head lending to the Loss of [his] Reason,” wrote how he could “feel the same Disorder now Daily Encroaching on me” and how his worsening condition was “visible to my Fellow prisoners as they Inform me that I act strangely sometimes on which I can give no account nor Even Remember nothing my memory fails me Daily.” Receiving crude medical attention from his “Fellow prisoners,” Lawrence’s petition shows how helpful the prisoners were for each other and the concern they shared for one another. Writing that he could return home with

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his neighbors who were being released, this act suggests that prisoners knew the condition of each other’s imprisonment, and each other personally, and were willing to help one another. While the prisoners may have been isolated from their families, many were not isolated from acquaintances. That is why many petitions had multiple signers.

William Vance received assistance, as well, from his fellow prisoners. On October 4, 1777, William Vance was “seiz’d with violent fits of ague & a smart Fever insued,” and two days later he was “threatned with a settled fever.” Jonathan Gove and Philip Carrigain believed “that the air of the Goal greatly tends to establish the Disorder which now threatens him, & he is exceedingly Disirous of the Liberty of the Yard or any other Liberty your Honors will be pleas’d to grant him.” This plea reveals the importance of community within the prison and the commitment some of the prisoners had for one another’s well-being.

Prudence Baxter’s community also came to her aid. Baxter sent an addendum on a slip of paper in May 1778 detailing that she was “left with only one cow for the Support of a Large Fameley,” and pleading for “more of the Stock that formerly belonged to my husband who now seems to have forfeited all claim there to.” Writing that a friend of hers was to pick up the cows, if the Committee granted the request, Baxter shows the extent to which the community helped their distressed neighbors, much like the prisoners helped each other in the Exeter jail.

282 Jonathan Gove and Philip Carrigain to Committee of Safety, October 6, 1777, “Petitions: July 1776-1777,” Nh-Ar.
283 Jonathan Gove and Philip Carrigain to Committee of Safety, October 6, 1777, “Petitions: July 1776-1777,” Nh-Ar.
The cases of Dr. Jonathan Gove and the Holland family further suggest the extent to which communities intervened in loyalists’ affairs. In August 1777, the town of New Boston, where Dr. Gove resided, sent a petition to the Committee of Safety on his behalf. They instead assured the Committee of Safety that they “do not nor ever did conceive of him [Dr. Gove] as a dangerous man to the stat but (quite the contrary) a good generous and peaceable subject of society and faithful and successful in his Imploymet as a Physician verey tender of all commited to his care.”

His fellow townspeople always found him loyal to their care as a doctor and their society as a citizen; therefore, so by association the charge of loyalism against Gove, they argued, was suspect. While they wrote they were not looking “to clear the guilty,” they still addressed his charges and assured the Committee of Safety that they knew “no Evil of him” since they were “intimately acquainted with him.”

These residents of New Boston needed their doctor to return, for they were in great “want of” Dr. Gove “whose assistance we verey tenderly feel in times of Sickness haveing scarcely anywhere else to go for relief, not having a Physician that we can depend upon within twenty miles of us.” They begged, “Leave to intreat of your Honours that he may be liberated and be Relived from the Pains of Imprisonment and Restored to his Distressed Family & Friends.” Though they wrote as a community, these petitioners did not place their community-at-large on the same level of importance as Gove’s family: his family and friends, not “Society,”

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were still the more important reason for his release. As these petitioners indicated, the importance of community and the greater good of society-at-large was subordinate to the interests of Gove’s particular family. The extent of any collusion between Dr. Gove, his family, and the townspeople is unknown; in particular, no one with the last name Gove signed the petition. In February 1778, Gove was still imprisoned, so the benefit of this petition on the prisoner’s release seems to be little.

In the summer of 1777, the townspeople of Londonderry sent petitions to the Committee of Safety: they desired Colonel Stephen Holland’s release. Nearly ninety signatures were affixed to three copies of a petition that demanded Stephen Holland, “our neighbor,” who was described as “a person naturally of a slender Constitution, now greatly impaired, by his long Confinement (in a loathsome Goal, replete with the noxious fumes of an infectious Vault),” be released on bail. At the time, these petitioners wrote that “unless he is speedily relieved by an alternation of Diet and fresh air & Exercise, his strength, already almost Exhausted, will totally fail him.” It is likely that one or more of the signatories visited Holland in jail and reported back to the Londonderry community about his worsening condition.

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293 “Subscribers, Inhabitants and Freeholders in Londonderry” to the Committee of Safety, August 27, 1777, “Petitions: 1776-1777,” Nh-Ar.
Believing Holland to have “nothing but conscious innocence,” they wrote that an “impartial Verdict of his country” would have supported his innocence, but as of yet no such trial date was set. They also decried Holland’s captivity since he had yet to be charged with a crime. As they believed: “the inflicting Punishment upon any Person, for a supposed offence, is incompatible with Justice, & the Principles of a free Government”; but they cautiously noted in deference to the Committee that such a situation was “far from your honours intention with Regard to him.” Once again, petitioners to the Committee of Safety put forth bold statements about how their vision for political society and how, in general terms, the actions of the Committee of Safety were going against legal tradition. But they refused to question the intentions of the Committee of Safety, and instead their writing continued to hold the Committee in high esteem. Instead of questioning the intentions of the committee members, a fruitless method in all probability, they requested the members of the Committee of Safety in their “great Humanity, to commiserate with his Condition, and admit him to Bail.”

Upon hearing that such a petition was sent, the members of the Londonderry Committee of Safety and the selectmen for the town were displeased with the prospect of Holland returning to their community, and they wrote to the Committee of Safety to state that “sinners” had written “to your Honors that Col’ Stephen Holond may be admitted to bonds, and so come out of Goal.” The only way they could

understand why individuals would sign such a petition was because “perswasions have prevailed upon som unwary and unthinkin men to sign” this petition. The local revolutionaries made it very clear “that this town and the well affected in it have no hand in that matter,” and told the members of the Committee of Safety that the individual who brought the letter to Exeter, Abraham Reid, “exclaims against the manigment of the Continent: and further has said that all that had a hand in putting Coll’s Holland in Goal, would be hanged.” They concluded their petition requesting the Committee of Safety to “send us a coppey of the signer names when it comes to your hands,” for the purpose of keeping watch over those signatories as suspected loyalists.297

The Holland family was not to be seen in the same light by their fellow townspeople for long. By March of the following year, Holland, after evading authorities for many months, joined the British Army in Rhode Island “and was active in procuring Intellegience of the Enemy; and was a Captian in the Prince of Wales’s American Volunteers untill the end of the War.”298 His wife, Jane, towards the conclusion of the war, probably in part due to her husband’s Loyalist activities and her unwillingness to leave the state, was viewed unfavorably by many in the New Hampshire community.

In response to the General Court’s decision to allow Jane Holland to return to New Hampshire, several copies of a petition were circulated and seventy-five some odd signatures were taken from residents who were adamantly opposed to her return.

297 NHSP, VII, 675-676.
The petitioners had a “deepest concern” whether “an absentee and an avowed Enemy to the United States, should have leave to return to and reside some time in this State.” They were “not a little alarmed that the guardians of the people, those selected from the rest, to project measures for the public good should pass a resolve,” to allow Jane Holland to return, “which is viewed with so much horror & detestation, by the people at large, and by your Petitioners.” 299 Since Jane Holland had been with her husband in Rhode Island, these petitioners declared: “we concieve it a species of Treason in any subject to correspond with our Enemies without authority first had from the General Assembly for that purpose…ought to be viewed as a dangerous person, us one who would wish to subvert—our government & as one disqualified for holding any honorary or profitable implement under it.” 300 “[N]othing but dire necessity and conviction that our rights and liberties were in danger of being trampled on, was the cause of his Remonstrance,” they wrote. 301

As the petitions from prison reveal emotional and worried prisoners, petitions like this one also show similar sentiment. Like the prisoners, these community members were unsure who they could trust, and, even more they feared their existence, their “rights and liberties” were threatened. However, in all reality, economic concerns were also, in all likelihood, in their minds since many people benefited from the sale of Loyalists’ estates. As they noted, the issue was more than

299 Remonstrance of residents of New Hampshire to General Assembly, December 18, 1782, “Petitions: June 1, 1781-February 15, 1783,” Nh-Ar.
300 Remonstrance of residents of New Hampshire to General Assembly, December 18, 1782, “Petitions: June 1, 1781-February 15, 1783,” Nh-Ar.
301 Remonstrance of residents of New Hampshire to General Assembly, December 18, 1782, “Petitions: June 1, 1781-February 15, 1783,” Nh-Ar.
Jane Holland’s return, but the real concern was the flood of loyalists who would seek to return in Holland’s footsteps.

   The human cost and impact of the imprisonment of loyalists implicated both the prisoners and their families. The members of the community were similarly impacted, since they, too, desired the liberty of some prisoners, and others were terrified of their return. In light of the political chaos during the American Revolution, it is evident that different families had particular ways about approaching their own situations, and power relations in the family were changed to confront the varying circumstances wives of fugitive Loyalists found themselves in during this period. Every situation was unique. Despite this variety, there were certainly common threads related to the pain and suffering of the members of the family that spanned nearly all the petitions. These threads were not simply tropes of the time: the experiences these petitioners wrote about show the emotive aspects at the intersection of family and war. The allure of “the real” in history is a powerful force, and these petitions grasped at the “real” with every line showing pain, anguish, fear, and death as experienced by these families and communities in New Hampshire during the American Revolution.
Conclusion: Loyalist or Not?

During the late summer of 1777, in a piece titled “A Definition of the Terms Whig and Tory” in the New Hampshire Gazette, author “A.Z.” from Portsmouth reminded his community to “take heed…and remember Wolves are sometimes in Sheep’s Cloathing; that it is not all Gold that glitters, and a long Visage with the Appearance of Sanctity, is but too often a Cloak for Maliciousness; be not led away by such Men, and like June of old, leaving the Substance embrace the Shadow.”

The war effort was just beginning: the New Hampshire Committee of Safety began its work two months earlier; the memory of the Battle of Bunker Hill, a place where New Hampshire soldiers fought, was still fresh; and rumblings about the threat from loyalists were increasing. As individuals began to confront and weigh their options in the new political reality, a concern for the revolutionaries was those individuals who may have been outwardly supporting their efforts, but were somehow secretly subverting the “Cause of Liberty.”

It is important to remember that the loyalists did not change during the American Revolution; instead it was the revolutionaries who changed the political landscape and forced their communities to grapple with the new political modifications. In her work about the loyalist exiles from the United States, Mary Beth Norton seeks to remind historians that the loyalist position, and not the rebel one, did not change. “Americans did not ‘become’ loyal to the empire: they remained loyal to the empire,” she wrote. “In 1765, every colonist—including Patrick Henry, Samuel Adams, and Thomas Jefferson—proclaimed his loyalty to Great Britain.

Many Americans became revolutionaries in the years that followed, and that was the significant change….Loyalty was the norm: rebellion was not.”\(^{303}\) As the path of a loyalist, like Stephen Holland, is charted from 1774 to the mid 1780s, it is important to keep in mind that the loyalists did not change during the Revolution.

Grappling first with the local and state committees of safety, and later with the British Commission for Enquiring into the Losses and Services of American Loyalists, which paid the loyalists for their lost estates, the American loyalist population was forced to contend with two dominant forces that could provide them what they needed, whether it was freedom from incarceration or payments for their confiscated estates. As seen from their petitions to both the revolutionaries and the British Commissioners, the loyalists formulated their responses to supply each group with what they wanted to hear. To the revolutionaries, the loyalists told them they were supportive of their cause; and to the British Commissioners, the loyalists declared they had always been fervent supporters of Great Britain.

Norton has noted that “the success of the Revolution has caused historians to reverse the priorities. Instead of asking, What motivated the rebels? we ask, What motivated the loyalists? And that question is exceptionally difficult to answer, because loyalism can only be defined in the negative sense, only through its relationship to the movement it opposed.”\(^{304}\) In specific contexts, such as a prison cell or in their affidavits to the British commission, what motivated the loyalists is


actually simple to answer: they desired liberty from the revolutionaries and payment from the British.

A general trend in the study of the American Revolution has been to look through the revolutionaries’ eyes to determine who was a loyalist during the American Revolution. If an individual was labeled a “loyalist” during this period, then historians have tended to use that identity in their own work. It is important to remember that on May 25, 1775, the day the New Hampshire Committee of Safety was established, people did not suddenly split between loyalist and revolutionary. The transition was gradual, and perhaps the effect of imprisonment caused many of these prisoners to turn against the revolutionaries.

Then, forced out of the state with the Proscription Act of 1778, many individuals fled to Canada or Great Britain and applied to the British commission for payments to replace their confiscated estates. In the post-war context, nearly fifty individuals formerly from New Hampshire applied for funds, and in total thousand of exiled loyalists applied from the thirteen former colonies.\(^{305}\) Of these fifty individuals, several of them, including William Vance, James, McMaster, and Stephen Holland, were also imprisoned by the Committee of Safety. Comparing Vance’s, McMaster’s, and Holland’s petitions to the Committee of Safety and their

claims to the British Commission, it is evident that these individuals told one thing to the revolutionaries and another thing to the British commissioners.\footnote{On June 14, 1788, the Chancellor of the Exchequer, William Pitt (the Younger), reported to the British House of Commons about the claims from the American Loyalists, which in total came to more than two million pounds. The transcript of his speech goes as follows: Pitt “could not admit the establishment of the principle, that their claim was a claim of strict right; but they undoubtedly had a strong claim on the compassion and generosity of this country… Of the various descriptions of Loyalists, some were unquestionably more meritorious than others; they have accordingly been divided by the Commissioners into different classes: And although it was not his intention to adopt precisely the distinctions they had made, nor to inquire into the relative merits of particular persons at this distance of time, yet he was desirous of making what was given, to appear to be given from generosity, and not on any recognition of right, and therefore he wished to make some distinction. It could not be expected that this country make good the full amount of the losses that were ascertained. No person who had the misfortune to be involved in a civil war, and to be of the party defeated, could expect to come out as well as he went in. The Loyalists must be content to bear part of the loss which they had sustained in common with this country. But that none who had been in affluent circumstances might be reduced to poverty, and as the loss of a small sum from a small fortune was a greater hardship than a greater loss from a greater fortune…” Edmund Burke, a member of the House of Commons, supplied his opinion, as well: “The claim of the loyalists was not a claim of right, but it was more, it was a claim on the humanity, the humanity, the generosity, the justice of this country; and he wished the Americans, as the first act of their peaceful independence, had afforded them that relief for which they applied to us. To have done so, would have been honourable to themselves; and the means of cementing a new connection between the two countries, which he hoped still to see cemented” (NH Gazette, October 2, 1788, vol. XXXIII, iss. 1673, p.1). The accused loyalists cried for the humanity of the revolutionaries to assist them, but the revolutionaries never reciprocated on the basis of humanitarianism. The British Commissioners, however, believed the exiled loyalists to be their fellow countrymen and that they deserved to receive compensation for their losses.}

Writing on Stephen Holland’s behalf, townspeople from Londonderry, his hometown, attested to Holland’s “conscious innocence.”\footnote{“Subscribers, Inhabitants and Freeholders in Londonderry” to the Committee of Safety, August 27, 1777, “Petitions: 1776-1777,” Nh-Ar.} Holland lamented that the Committee of Safety had imprisoned him without any charge except for the “infamous falsehood[s]” his fellow townspeople were propagating.\footnote{Stephen Holland, et. al. to Committee of Safety, July 19, 1777, “Petitions: July 1776-1777,” Nh-Ar.} While he did not outwardly declare his allegiance to the revolutionaries’ cause, he did sign the Association Test in 1777.\footnote{NHSP, XXX, 84.}

Upon the conclusion of the war, Holland sought from the British commission a payment of four thousand pounds, and he asserted that he had “supported the...
Interest of his Sovereign upon all occasions to the utmost of his power, constantly refused to take the Oath of Allegiance prescribed by the Congress, and exerted himself in uniform opposition to the measures of their usurped Authority.”

Since Holland, in fact, did take the Association Test it is apparent that he lied to the British commission. As “A Whig” wrote in the *Pennsylvania Packet* during August 1779, “Who take the oaths of allegiance to the States one day, and break them the next? the Tories.”

It is not surprising, though, that Holland switched his position towards the Association Test, which declared that the signers would take up arms and risk their life and fortune to “oppose the Hostile Proceedings of the British Fleets and Armies against the United American Colonies.”

The discrepancies in Holland’s messages to the Committee of Safety and British commission illustrate that, at least for some, loyalism may not have been fueled by political motives or ideology, but instead an individual may have pursued different paths for self-interested means based on what he perceived he could gain from a specific authority. While many of these historical actors may have determined their own course towards loyalism, others may have been less thoughtful about their loyalism or were led to become a loyalist as a result of the way they were treated by the revolutionaries.

The inconsistencies between what William Vance wrote to the Committee of Safety and the British Commission shows his desire to extract what he needed from a particular authority, whether it was liberty or money. Writing to the Committee of

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310 Stephen Holland, *NH Claims*, Nh, 777-780.
Safety on September 6, 1777, William Vance declared: “I now am & always have been ready to devote my Life & fortune to the Service of the United States in general, & this State in particular: I am certain that I have not wilfully or willing done any Injury to this or any of the United States, and why I should be thus confin’d, I cannot tell, I humbly conceive I have done Nothing whereby I should receive so hard a fate.” Yet, to the British Commissioners he avowed that he “was always Loyal to His Sovereign and firmly attachment to the British Government.”

There were also other, more direct discrepancies in Vance’s testimony during and after the war. While to the British commissioners he wrote that “his Loyalty and adherence to the British Government” was steadfast and he “Constantly refus[ed] to take the Oath of Allegiance prescribed by Congress,” on October 21, 1778, Vance requested the Committee of Safety to “Direct some Magistrate to administer to him the Oath of Allegiance to said State, by Law established --& that yᵉ Petitioner may be Liberated from his said Confinement & his bond cancelled.” Determining whether, in fact, Vance ever took the Association Test is difficult to prove since there may have been two men named William Vance in the town of Londonderry. One William Vance was listed under the town of Londonderry for taking the Oath of Allegiance, but a William Vance from Londonderry was also listed as a fifer in the militia. Regardless of this uncertainty, in Vance’s memorial to the British Commissioners he stressed that he never requested to take the Oath of Allegiance, when, in fact, he asked to take the oath in his petition to the Committee of Safety. These discrepancies

313 William Vance to Committee of Safety, September 6, 1777, “Petitions: July 1776-1777,” Nh-Ar.
314 Stephen Holland, NH Claims, Nh, 777-780; William Vance, NH Claims, Nh, 1864-1865.
315 William Vance, NH Claims, Nh, 1864-1865; William Vance to Committee of Safety, October 21, 1778, “Petitions: July 1776-1777,” Nh-Ar.
316 NHSP, XXX, 84, 196.
are not surprising: when imprisoned, Vance desired to be released, so he told the Committee of Safety that he was a supporter of their vision; but after he left the country and his estate was confiscated, he more than likely needed money, and the British commissioners could hand to him much needed funds. All Vance had to show was that he was a loyal subject to the British king, which he did through his own statements and affidavits written by others, including Stephen Holland and many other well-known New Hampshire loyalist in exile. Exactly as Jonathan Gove and Phillip Carrigain wrote to the Committee of Safety on behalf of Vance when he was sick in prison, after the war a community of individuals who wanted to extract funds all testified to each other’s loyalty to the Crown.317

In the pattern of Holland and Vance, James McMaster, the wealthy merchant from Portsmouth, used contradictory rhetoric, as well. He wrote to the General Court in March 1777 that “Your Petitioner humbly conceives that he is hardly dealt with and much injured by the Detention of his s\textsuperscript{d} Goods and Papers from him, while he is not conscious of his having done any thing against this or any other of the United States of America to incur the forfeiture thereof—(notwithstanding the envious & perfidious attempts of his said Servant,‖ Peter Mitchell.318 Years later, James McMaster, filing a claim with his two brothers, wrote how “your Memorialists from their weight as Merchants and extensive Dealings upon the first unhappy disputes with America were strongly solicited to act with the leading Persons in Opposition, which from the truest principles of Loyalty to their Sovereign & this

Country, and as bound by their Allegiance they constantly rejected & opposed by every means & Arguments in their Power the insidious Attempts of the disaffected. That the adherence of your Memorialists to what was called the Loyal Cause."

Again a discrepancy between these two statements presents a dilemma for historians of concluding when, if ever, McMaster, and his fellow petitioners, became loyalists.

As one historian has noted: “The major problem in dealing with the Loyalists of the American Revolution is that a man who can be categorized as a Loyalist in 1775 because he joined the Tory Association, could become a leading radical and serve as one of New Hampshire’s representatives to the Continental Congress only a few years later, as was the case with Oliver Whipple.” Whipple illustrated this confusion and hardship to a friend in 1784.

He recounted that for

the three first years of the War, it was a Trying Time for Sinners in this Country, our Whigs, even suspected me, of Toryism, and I was three Times, imprisoned, once at our Castle, once in the Town, & once at Exeter; & then on Trial, the Authority declared, I was not guilty of any of the Charges, tho’ they bound me Prisoner to the Estate, for one year (because they said, they believed, I was a great Frind of the King, they could not find me out; thus we had out Sufferings, but I have surmounted all, & have had the Good Fortune Since to live in Peace with our Brethren.

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320 Robert Munro Brown, “Revolutionary New Hampshire and the Loyalist Experience: ‘Surely We Have Deserved A Better Fate.’” PhD diss., (University of New Hampshire, 1983), 235. The Tory Association of Portsmouth was established on January 17, 1775, and “[t]he immediate purposes of this organization were mutual protection and the guarding of Governor John Wentworth.” This organization was Governor Wentworth’s “attempt to establish a bodyguard of Tories and through them to maintain the authority of the government in Portsmouth,” but this effort was “hopeless.” Oliver Whipple, an attorney, was listed as one of the fifty-nine members. Other figures in this project, namely Stephen Little and James McMasters, were also members (Kenneth Scott, “Tory Associators of Portsmouth,” *The William and Mary Quarterly* 17, no. 4 (1960), 507, 511, 515.
321 Oliver Whipple to Silvester Gardinar, January 4, 1784, oversize box, “Gardiner-Whipple-Allen family papers, 1730-1882,” MHi.
It is evident that the people who lived during this period were acutely aware of the problems faced by the Committee of Safety to determine who was a loyalist.

Arguing that there was something called a “loyalist perception,” historians Robert Calhoon and Robert Weir asserted: “The nature of loyalism in the American Revolution is an intractable historical problem, in part, because the loyalist appeared in several distinct social and political settings: pre-Revolutionary colonial society, rebellious American states, the various parts of the British Empire to which they fled, and the post-Revolutionary republic where still more reemerged as respectable citizens. In each of these contexts the loyalists revealed different facets of the values, attitudes, and characteristics which accounted for the adherence to the Crown.” This is perhaps an explanation as to why individuals like Holland, Vance, and McMaster presented one argument, and then later argued the complete opposite. When they were writing to the Committee of Safety, distancing themselves as far from the Crown was necessary, but when they were hoping for a portion of the Crown’s treasury, they declared their unwavering support for “the Loyal Cause.”

These authors have offered important guidance for historians who examine the Loyalist population from the end of the war and go backwards in time. They emphasize that “[w]hile it is dangerous to read back into the loyalists’ Revolutionary experience things they said in retrospect, it is also misleading to assume that the loyalists revealed everything they had to say about themselves under the intense pressure of specific crises in the pre-revolutionary controversy or later during the Revolution itself.”

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their particular views to fit their current situation. By examining these two sets of petitions from during and after the war, it is evident that individuals were forced to confront new realities, whether in 1775 when the war began or in 1784 when they began to apply for funds from the British treasury.

James Leslie Walsh, who has worked extensively with these claims to the British government from former New Hampshire citizens, has argued that: “Each individual loyalist created a personal identity that no longer corresponded to the identity previously held. Stephen Holland, for example, was no longer Colonel Stephen Holland from Londonderry, no longer a prominent, wealthy, and influential backcountry gentleman, but rather became Stephen Holland, hunted Tory, condemned counterfeiter, British spy, and suffering loyalist. Holland and the rest of the active loyalists of New Hampshire could no longer identify themselves as readily and comfortably as they might have in 1773.”323 While the sentiment of Walsh’s approach is right, the date he chose of 1773 is problematic.

As seen by the petitions Holland sent to the Committee of Safety, he fashioned himself as an individual loyal to the revolutionaries’ cause until 1777. To classify loyalists using the distinction of three separate periods—before, during, and after the American Revolution—is not appropriate in Holland’s case. He maintained his innocence during the first years of the war. Therefore, perhaps a new way to examine loyalism is through an examination of the pre-revolutionary years through the day the last payment was given to the American loyalist.324 Norton argued that loyalists “remained loyal to the empire,” but by examining their petitions from prison

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323 Walsh, “Friend of Government or Damned Tory,” 289.
it is evident that, at least outwardly, they attempted to fashion themselves as revolutionaries and disassociate from the British Empire at all costs.\textsuperscript{325}

The distinction between revolutionary and loyalists should be examined from both the closest and broadest perspectives to gain a far more complex understanding of the individuals history has labeled as “loyalists”: through close-readings of the petitions they wrote and understanding the actions of these individuals over the span of more than a decade. The point is not that individuals had divided loyalties—half revolutionary, half loyalist.\textsuperscript{326} From the experience and identity of the loyalists themselves as seen in their own writings, it is evident that they were forced to maneuver in the networks of committees and communities that wanted to hear certain things. Twice these individuals had to come to terms with new political realities: first in the front of the committees of safety, and then when they were forced to leave the state, the second reality came in places like Nova Scotia and London where they then had to contend with the British commission to receive payment for their estates.

Maya Jasanoff has argued that “[l]oyalists are the American Revolution’s guilty secret: rarely spoken of, hauntingly present.”\textsuperscript{327} A major source of this silence is the lack of infusion of new sources regarding the loyalists into the study of the American Revolution. Much of the primary source material regarding loyalists in the New Hampshire State Archives has yet to handled, and one must wonder the extent this is true elsewhere.

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