

COMMISSIONERS OF SEQUESTRATION

Before the law relative to Sequestration had been enacted it became necessary to make Sales of certain property belonging to the Enemies of the American Cause. For instance, on Nov. 27, 1776, the Committee of Safety authorized William Duer to send proper persons to take, for the use of the American Army, all the Hay, Forage and Grain on the farm of Thomas Barclay, of Ulster county, "having some months since gone over to the Enemy on Nassau Island," leaving enough for the support of the family and stock remaining on the farm. The Committee also appointed Commissioners to sell the property so taken.

In Convention of the Representatives of the State of New York March 6, 1777—

Whereas divers Ill disposed persons Inhabitants of this State being unmindful of the great duties they owe to the same have joined our cruel & inveterate foes & the Effects of such persons & of divers others now with the enemy are liable to waste or maybe employed for wicked purposes within these States or consist of goods & merchandise usefull to the well affected Inhabitants of the same, In consideration thereof & for divers other good Causes and Considerations.

Resolved that the Commissioners herein after named do take into their custody & possession all the personal property of the persons aforesaid, and do cause the same to be sold at public vendue upon notice thereof given at least 10 days before the day of sale, and to file with the treasurer of this State Accts. of the sale of such property and to deposit the neat amount thereof together with such monies as they shall find belonging to the persons aforesaid into the Treasury to be hereafter paid to the respective owners thereof or otherwise disposed of at the Discretion of the Legislature of this State. Leaving nevertheless to each of the families of the persons aforesaid their apparel necessary household furniture & as much provisions as will be sufficient for their subsistence for three months.

Resolved that for the due execution of the foregoing Resolutions within the several counties of this State, the following persons be and they hereby are appointed Commissioners with the powers and Authorities aforesaid and also with power of sending for papers & examining witnesses on Oath in the said Counties respectively Vizt for the City & County of Albany Cornelius Cuyler of Schenectady. Harmanus Wendell of the City of Albany & Peter Van Ness of Claverack Esqrs. for the County of Dutchess Anthony Hoffman, Ephraim Payne & Theodorius VanWyck Esqrs for the County of Westchester Stephen Ward, Samuel Drake & Israel Honeywell Junr Esqrs. for the County of Ulster Patrick Barber, Ben Smedes Junr & Johannis Slegt Esqrs, for the County of Orange Jesse Woodhull, John Coe & Gysbert Kuyper Esqrs, for the County of Tryon Frederick Fisher, John Eisenlord & John Harper Esqrs. And for the County of Cumberland James Clay, Amos Robertson & Israel Smith Esqrs. And whereas this House for want of Information cannot at present fix upon suitable Commissioners for the Counties of Charlotte & Gloucester, Resolved therefore that the appointment of Commissioners for the said Counties be deferred. Resolved that each of the said Commissioners be allowed besides the Incidental Charges in executing this Trust the sum of Sixteen Shillings per day for their Expences and trouble while actually employed therein & that they do before they enter upon the Said Business take & Subscribe before the Chairman of the Committee of their respective Counties the following Oath—I, A. B., do solemnly swear and declare that I will to the best of my knowledge and Ability execute the trust reposed in

me by the foregoing Resolutions without Fear Favor Affection Partiality or Hope of Reward. So help me God.

Resolved that all & singular the powers & Authorities by the foregoing Resolutions given to the said Commissioners be rested & exercised in & by any two of those named for the several Counties respectively.

Ordered that A Copy of the said Resolutions be sent to one of the Commissioners in each County & that he be requested to Communicate the same to the other Commissioners in his County & to the Chairman of the County Committee thereof.

March 21, 1777. Whereas this Convention did in and by certain Resolutions passed on the Sixth day of March Instant appoint sundry persons therein named Commissioners to take into their Custody & dispose of the personal property of ill disposed persons who are gone over to or are with the Enemy.

And Whereas the Powers given the said Commissioners by the said Resolutions may in some Instances be found Incompetent for the purposes therein Mentioned—

Therefore Resolved that the Respective Commissioners therein named be & they are hereby Authorized in Cases where upon demand such personal property is refused to be given up to apply to the respective County or District Committee or the Militia Officers in the Respective Counties for such aid as may be judged necessary to carry the foregoing Resolutions in Execution.

April 16, 1777, a Resolution was passed giving the Commissioners power "to rent out on moderate terms the Farms Stock & Utensils of the farms for one year & take Security for the rent which is to be paid into the Treasury Making reservations for the families who shall be left in necessity by the persons who have gone off". January 13, 1778, a Resolution was passed ordering "that the Commissioners pay no money but by special order from the Convention or Legislature".

The Commissioners took property, mostly personal, and administered it in the name of the State. Therefore, Debts due to that property became Debts due to the State; and Claims against that property became Claims against the State. Many of the Commissioners were sued by parties whose property had been taken wrongfully; but the Legislature usually granted relief in such cases. July 9, 1776 was the date at which the Confiscation became operative. The Commissioners usually sent the proceeds of the Sales and of the renting of farms to the State Treasurer.

The Commissioners of Sequestration, however, were first required to use some of the proceeds for Clothing for the Troops of the State; and some, for furnishing Distressed families with Flour, Meal and other necessaries.

The duties of the Commissioners of Sequestration varied in the several Counties. In the outline given below, the Commissioners who are named are those who did the work, according to the original documents.

In Albany County, there are a few unimportant Accounts of Cornelius Cuyler, Peter Van Ness and Harmanus Wendell, who served in a general way. The County was sub-divided into the Northern, Middle and Southern Districts. George Palmer and John Younglove had charge of the Northern District. The latter came before the Convention, Jan. 14, 1778, and "informed" that, in the course of his business as a Commissioner, he had received three counterfeit bills, \$42 in all. The Convention ordered that if Mr. Younglove take Oath that

he did not know who paid them in, he be credited that amount on his Account. He took the Oath, before the State Treasurer, on the same day.

Flores Bancker, Col. Myndert Roseboom and George White were the Commissioners in the Middle District. Nearly all of the Accounts are in the name of Col. Roseboom, and they refer to the relief of the Distressed inhabitants of his locality. This remarkable man, was the son of Hendrick Roseboom. More information in regard to him may be found in "Ancestors and Descendants of John Roseboom, of Schenectady," published in 1898.

The Commissioners of Sequestration, in the Southern District of Albany County, were Matthew Adgate, Gabriel Esseltine, Isaac Goes and Hezekiah Van Orden. In this District, the Commissioners seemed to make special efforts to secure the family plate, which was turned over to the State Treasurer.

The Commissioners for Albany County paid for Provisions, Salt, Clothing and Horses; also for keeping Cattle and for driving to Albany the Cattle of the Disaffected. They transported Tory Prisoners; and the collection of Taxes was among their duties. The record of their Sales of Sequestered Property are not complete, although it is known that some of their Sales commenced in September, 1777. The Sales in the Middle District were about £13000, in 1778 and 1779.

In Charlotte County, the Commissioners were Aaron Fuller, James McNish, John Moorhouse, John Nesbitt and John Rowan. They sold personal Estates to the amount of £370.19.4.

The Commissioners of Cumberland County left no Accounts of importance. They were James Clay, Amos Robertson and Israel Smith.

In Dutchess County, the Commissioners were: Anthony Hoffman, Ephraim Paine, Henry Livingston, jr., Isaac Sheldon and Theodorus Van Wyck. They transported the families of the Disaffected, and gave leases of their houses and farms to others who were loyal to the Cause of the Colonies. Their Accounts are especially full of promissory notes payable to parties whose property was afterward confiscated. Among the notes are many belonging to the Estate of James Dickinson "who went off to the enemy". The amount of the Sales of Confiscated Estates by the Commissioners of this County was £59942.18.3. William and Thomas Henderson were acting as Agents of Beverly Robinson before the war broke out; and there are numerous notes and mortgages payable to their order. They were also Agents for the firm of Beverly Robinson and Roger Morris, afterward described as "Attainted Characters."

The Commissioners of Sequestration in Orange County were: John Coe, Gilbert Cooper, Gysbert Kuyper, Elihu Marvin, Isaac Nicoll, John Terneur and Jesse Woodhull. They made lists of the personal Estates sold, and lists of those who hired farms; paid for inventories of Estates, and for bringing Horses, Grain &c to them; and gathered Forage for the Public Magazine at King's Ferry. The Claimants against Confiscated Estates were paid in Certificates which, as late as 1791, were received by the County Treasurer in payment of "Specie Arrears of Taxes". The Sales of the Commissioners reached a total of £6083.8.8., from January, 1778 to March, 1778. The Auditor-General made these comments on two of the Claims for unjust Sales of personal property:—

"Claims of Mangel Minhorne & John Staples — £217.14.6 for Rent Received of their Farms by the Commiss'rs of Sequestration of Orange County. Both of them were out of the Lines first, & afterwards when they thought it a gone case went into N. York & joined the Enemy. It is true that they have procured a Certificate that they contributed to the relief of the Prisoners, but this is no proof to me that they were friends. It might have proceeded from fear when they found we would succeed in the end. Therefore their claim is inadmissible".

Peter S. Deygart, John Eisenlord, Frederick Fisher, Christopher Fox, John Harper and William Harper were the Commissioners of Sequestration for Tryon County. The Commissioners delivered Provisions for the use of the Continental Army; collected rents from Confiscated Farms; and, in numerous cases, gave assistance to the Distressed.

The following, from Tryon County, is one of the most valuable documents in the collection:—

A Rent Roll of the Farms left by Persons gone to the Enemy and

To whom belong'd	By Whom Rented	Month	Year	£.	Annual Rent	D.	S.
Sir John Johnson, mill	Willm. Phillips	May 15	1777	75.	0.	0	
Johnstown	Jno. Seber	June 7	Do.	14.	0.	0	
Thomson	Nellis	7	Do.	5.	0.	0	
Do. G. Flats	Jno. Kasselman	7	Do.	—	—	—	
Adm. Helmer Do.	J. R. Herkimer	7	Do.	50.	0.	0	
Jno. Herkimer	-----	7	Do.	—	—	—	
Tenbrook	-----	7	Do.	—	—	—	
Jno. Weaver	-----	7	Do.	—	—	—	
Jno. Campbell C/ Valley	-----	7	Do.	—	—	—	
Sir John Johnson's Old	Abm. Barclay	7	Do.	100.	0.	0	
Fort	Edwd. Roach	7	Do.	30.	0.	0	
Col. Claus	Pat. Downs	7	Do.	30.	0.	0	
Col Johnson	-----	7	Do.	—	—	—	
Sir John Johnson's	J. Sammons	Sepr 15	Do.	100.	0.	0	
(Hall)	-----	7	Do.	9.	0.	0	
Do. Farm at Caughna-	Jno. Fonda	June 7	Do.	20.	0.	0	
waga	Groot	7	Do.	20.	0.	0	
Do. Old Fort	Jno. Seber	7	Do.	20.	0.	0	
Jno. Young	-----	7	Do.	—	—	—	
Michl Byrne	Capt H. Staring	Feby 7	1778	4.	0.	0	
Petres (at Coxes)	Barns. Hanson	May 1	Do.	15.	0.	0	
Lewis Clement	Fergus Kennedy	1	Do.	15.	0.	0	
Guy Johnson	H Young	1	Do.	8.	0.	0	
Walter Butler	-----	1	Do.	6.	0.	0	
Php. Shaver	Henk Vrooman	Decr 24	Do.	10.	0.	0	
Mich. Byrne	Richd. Collins	15	Do.	10.	0.	0	
Col Claus (Kingsbro)	John Long	15	Do.	15.	0.	0	
Do. Mohawk River	Will Harper	6	Do.	15.	0.	0	
Sir John Johnson's mill	-----	7	Do.	80.	0.	0	
& Fort	Albt. Vedder	June 7	Do.	40.	0.	0	
Do. Caughnawaga	John Fonda	7	Do.	—	—	—	
John Weaver	-----	1	Do.	12.	0.	0	
McGuire	Wm. Palminter	1	Do.	20.	0.	0	
Fredk Young	Wm. Wills	1	Do.	20.	0.	0	
John Young	Jno. Seber	15	Do.	14.	0.	0	
Hank Huff	Wm. Phillips	15	Do.	9.	0.	0	
John Frail	Jno. Morgan	15	Do.	6.	0.	0	
Gilt. Tice	Jas. Dunn	15	Do.	6.	0.	0	
-----	Jas. Davison	15	Do.	6.	0.	0	
-----	Pet Yost	15	Do.	3.	0.	0	
-----	Jno. Crowly	15	Do.	3.	0.	0	
-----	Wm. Laird	15	Do.	6.	0.	0	
-----	Wm. Emmons	15	Do.	10.	0.	0	
-----	M. McMartin	15	Do.	11.	0.	0	
-----	A. Stevens	15	Do.	6.	0.	0	
-----	Ph. Phillips	15	Do.	15.	0.	0	
-----	Jno. Anderson	15	Do.	6.	0.	0	
-----	B. Dolyne	15	Do.	—	—	—	
-----	Thos. Butler	—	—	—	—	—	
Castleman (at the pose)—	Casp. Teller	July	Do.	2.	0.	0	
-----	Wm. Phillips	—	Do.	100.	0.	0	
Peter Summer	Lamb	May 1	Do.	2.	0.	0	
Ph. Christler, Durloch	-----	—	Do.	—	—	—	
Fred Fox Do.	Coffman	1	Do.	2.	0.	0	
Adam Hoover Do.	-----	—	—	—	—	—	

forfeited to the United States, and in whose Possession they are now

Rent Paid	Rent in Arrear	
75.	0.	0
14.	0.	0
50.	0.	0
100.	0.	0
30.	0.	0
30.	0.	0
7.	10.	0
100.	0.	0
9.	0.	0
20.	0.	0
20.	0.	0
4.	0.	0
15.	0.	0
15.	0.	0
8.	0.	0
6.	0.	0
10.	0.	0
10.	0.	0
15.	0.	0
80.	0.	0
40.	0.	0
12.	0.	0
20.	0.	0
20.	0.	0
14.	0.	0
9.	0.	0
6.	0.	0
6.	0.	0
6.	0.	0
3.	0.	0
3.	0.	0
6.	0.	0
10.	0.	0
6.	0.	0
15.	0.	0
6.	0.	0
100.	0.	0
2.	0.	0
2.	0.	0
2.	0.	0

Given to Indians by Genl Arnold destroyed by the Enemy left for support of Family Genl. Herkimer had it with the Utensils and since Killed Proved his Wifes Property In Possession of his wife Mortgagee has closed the Mortgage

Run away Dead & his Widow Run away Run away

Out of repair run away & since hanged destroyed by the Enemy In Possession of his Wife destroyed by the Enemy Out of repair Out of repair £5 Specie rec'd by J. Harper. See Creditted in acct B by said Harper.

Not Tenanted Insolvent destroyed by the Enemy Insolvent dead & Insolvent Good Insolvent good insolvent do insolvent (No Rent being fixt in Peaceable Possession and appearing friendly to the States never took possession)

In Possession of the Family taken possession of by the proprietor In Possession of his Wife

The best preserved, and the most interesting of all the records of Sales by the Commissioners of Sequestration in the several Counties is one with the heading "Account Sales of Sundries Sold at Publick Vandue by the Commissioners of Sequestration for the County [Tryon] by order of the Convention of the State of New York, March 6th 1777, The Property Formerly belonging to the Persons hereafter mentioned, beginning at Johnson's Hall May 1st 1777". This book shows a total of £13205.2.3 received for the Sales, ending Dec. 23, 1777. The separate items of Sales number over 3000. The Sales of Sir John Johnson's effects, at Johnson-town, Nov. 17, 1777, aggregated £3576.13.11. Among the items are: 2 Tackle Clocks; 1 Negro Wench & 2 Children, £81; 1 Negro Man, £59.19.0; Surveyors instruments; shoe-maker's tools; numerous brass fenders and andirons; 1 electrifying wheel; 1 large Bible; 2 spinning wheels; and (at Johnson's Hall) a harpsichord.

The Commissioners sold Sequestered Property to the amount of £1951.2.2, from July, 1780 to June, 1783. There is an apparent total of £28565.5.2 for property sold. This is exclusive of £2000, for Sales in 1777. The Auditor-General, in passing upon the Accounts of the Commissioners, objected because they had turned in a part in notes, instead of all in cash; and because the excuse for so doing was that some of the purchasers "had their property burnt or destroyed by the Enemy". Therefore, the Auditor-General refused to accept notes or bad debts; and referred the Commissioners to the Legislature for relief.

In Ulster County, Patrick Barber, James Hunter, Johannis Sleght and Benjamin Smedes, jr., were the Commissioners. There are four books of Sales of effects by the Commissioners, aggregating a larger amount of details than the Sales in Tryon County; and the items are nearly, if not quite, as interesting. The total amount realized was about £16500. Beside this, Barber's Sales netted £2094; Sleght's, £1466;

In Westchester County a Special Committee ante-dated, and ran parallel with, the work of the Commissioners of Sequestration. The Committee of Safety, Feb. 22, 1777, appointed Samuel Drake, Israel Honeywell, Nathaniel Hyatt, jr., William Miller, John Thomas, jr., and Stephen Ward, as a Special Committee, or Commission, "to protect the persons and property of the well-affected inhabitants of Westchester County; to secure the effects of those who have fled to or joined the Enemy; and to guard the effects taken from such Persons". Mr. Thomas was the Chairman; and Ezekiel Hawley, Nathan Rockwell and Joseph Strang occasionally served on the Committee. (See Forage, in the Chapter on "Provisions.") The Special Committee ordered the Committee of Salem to dispose of the effects of several persons who had "joined the Enemies of the United States of America". The Sales netted £587.16.8. In March, 1777, the Committee, in conjunction with the Committee of the Convention, resolved to raise 262 men for one month. They were divided into five Companies, under the command of Lieut. Col. Hammon and Major Fish. The Accounts of the Committee were settled by Richard Hatfield, Philip Pell, jr., and Jonathan G. Tompkins, who were appointed for that purpose by the Provincial Congress, May 13, 1777.

Samuel Drake, Israel Honeywell and Stephen Ward, members of the Special Committee, were also appointed Commissioners of Sequestration for Westchester County. James Hunt was the

fourth Commissioner. The Commissioners paid for bringing in the effects of the Disaffected; took firewood, timber &c from Sequestered Estates for the use of the Army; and assessed small amounts, generally not exceeding £3., on farms formerly owned by those who had gone to the Enemy. The Commissioners paid the proceeds for the support of the Poor in the Manor of Cortlandt. They were applied to by the Assistant State Agent for the French Army, and by twelve Assistant State Agents for the American Army, for lists of all the Sequestered Farms, so that Forage might be gathered for the two respective Armies.

The books of Sales in Westchester County were not as full and complete as the books in the Counties of Tryon and Ulster. One book of Sales footed up £13893; and an apparent total was £15650. On Sept. 1, 1782, Timothy Pickering, Quarter-Master-General of the Continental Army, appointed John Keese to examine all Accounts and Claims; and his report of Dec. 15, 1782, showed that the Claim of the State against the United States was £13765.3.2 3/4. The sum of £6758.8.3 was added to this by the appraisement of Officers chosen by the United States and by the State of New York.

Claims for Damages by the American Army

Nearly all the Claims for Damages done by the American Army came through the Commissioners of Sequestration; who either paid them first, or presented them directly to the State. This was especially true of timber cut, and fence rails taken, from Sequestered Estates, for the most part in Westchester County. In the same County, large quantities of rails and Forage were taken for the use of the American Army from both Sequestered and Private Estates. The Accounts relating to these Claims give, in detail, the names of the former proprietors, the names of the occupants and the value of the property taken. The total value was about £70,000. The property taken consisted of about 3000 cords of fire wood and 350,000 rails. Some of the Accounts were prepared by John Keese, under appointment from Timothy Pickering, Quarter-Master-General of the Continental Army.

The State Treasurer issued Certificates for Money due for Damages to farms. Claims of this nature were paid by the State, almost without exception; and the State afterward recovered the several amounts from the United States. While Damages of this sort usually came through the operations of the Army, yet the Convention sometimes ordered the taking, or damaging, of private property.

The State of New York to Nicholas Bayard Dr.

To damages done his Estate by order of the State Convention, Viz^t.
Destroying the Timber from Bunker Hill, taken Sod from his Best fields in Order to Erect a fort on the said hill, cutting down the Locust Trees in his lane, to the Amount of £1000.

The above damages were done by Order of the State Convention in the year 1776.
Personally appeared before me Daniel McCormick one of the Aldermen of the City of New York, Nicholas Bayard, who being sworn on the holy Evangelist of Almighty God deposed and saith that the above damages of £1000 he believes to be done to his Estate.

Nicholas Bayard

Sworn before me this 31 Day of Decr. 1790

Daniel McCormick.