

Written and compiled by Rick Porter 3-21-2013
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22 Downer Street, Baldwinsville, NY USA 13027

As published in the State's Archival Collection of the legal notice announcing and explaining the Attainder Act passed October 1779. This act convicted and judged guilty of acts of treason against the state. It called for penalties against the accused, the immediate forfeiture of real and personal property held prior to July 9, 1779 and rendered void any document drawn up after that date on the suspicion that an attempt had been made to protect such items from confiscation and subsequent resale by the state.

Collection number NYSA_A4016_V7_F161_Sx Remainder of identification refers to individual pages/images see endnote for citation of the following information.

The following names appear in that notice as follows (original type set names are as recorded):

John Murray, Earl of Dunmore and former Governor of the colony of New York

William Tryon, Esq., late governor of the said Colony

John Watts

Oliver DeLancey

Hugh Wallace

Henry White

John Harris Cruger

William Axtell

And Roger Morris, Esquires late Members of the said Colony

George Duncan Ludlow

And John Thomas, late Justices of the Supreme Court of the said Colony

John Tabor Kempe, late Attorney General of the said Colony

William Bayard

Robert Bayard

James DeLancey, now or late of the City of New York, Esquires

David Matthews, late Mayor of the said City

James Jauncey

George Folliot

Thomas White

William McAdam

Isaac Low

Miles Sherbrook

Alexander Wallace

John Weatherhead now or late of the said City, Merchants

Charles Ingliss of the said city, Clerk, and Margaret his wife

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Sir John Johnson late of the County of Tryon Knight and Baronet
Guy Johnson
Daniel Claus
John Butler now or late of the said County, Esquires
John Joost Herkimer now or late of the said County, Yeoman
Frederick Phillipie
James DeLancey now or late of the County of Westchester, Esquires
Frederick Phillipie, son of Frederick now or late of the said County, Gentleman
David Colden
David Kiffam the Elder
Gabriel Ludlow now or late of Queens County, Esquires
Philip Skeene now or late of the County of Charlotte Esquire
Andrew P. Skeene son of the said Philip Skeene late of the County of Charlotte
Benjamin Seaman
Christopher Billup now or late of the County of Richmond, Esquires
Beverly Robinson
Beverly Robinson the Younger
Malcom Morrison now or late of the County of Dutchess, Esquires
John Kane now or late of the said County, Gentleman
Abraham C. Cuyler, now or late of the County of Albany, Esquire
Robert Leake
Edward Jessup
Ebenezer Jessup now or late of the said County, Gentleman
Peter Dubois
Thomas H (remainder of published notice – 2 lines of typeset
Are illegible due to wear lines of copied newsprint)
Mary Morris wife of.....(same condition as noted above)
George Muirison
Richard Floyd
Parker Wickham of Suffolk County, Esquires
Henry Floyd the Elder late of the State of Massachusetts Bay
Sir Henry Clinton, Knight
be and each of them are here by declared to be, Ipso Facto, convicted and attained
of the Offence aforesaid.

The remainder of the typeset public notice informs and explains the Attainder Act and it's provisions.
It should be noted that the NY Law includes the wording "corruption of blood", this phrase includes
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That those who are blood relations are also subject to the acts penalties. At the time (1779) the NY Law differed from European Laws by the inclusion of the phrase "corruption of blood"

Second legal act that followed in 1780. See the endnote for the description of the material used for this compilation.

In 1780 an Act was passed and a handwritten copy of it was found in a collection of papers held by Christopher Yates, a lawyer with dealing with and subsequently involved with the seizure of John Butler's land holdings and the escorting of a large party evicted from the state by their real or presumed associated with those either previously named or presumed to have sympathies with the British.

The list as found and family relationships as compiled by him is as follows:

(Spelling and terms exactly as written by Mr. Yates)

"Isle Aux Noix March 17th, 1780"

"Return of the Men, Women and Children Distinguishing their Age & Sex Which came by the Flag north C Yates"

Familys Persons Name	Men	Women	Children	Male	Female	Age	Total
Col. John Butler			1			43	
Thomas Butler	1				23		
Andrew Butler	1				18		
Johnson Butler			1		12		
Deborah Butler				1	10		
Sheehan							
Ann Sheehan							
Butler Sheehan							
Walls							
Deborah Walls							
Robert Pinchen							
Jane Pinchen							
Raster Pinchen							
Robert Pinchen							
Edward Pinchen							
Mc Carty							
Jane McCarty							
Small child							
Hilliard							
Catharine Hilliard							
John Hilliard							
Andrew Little							
Margaret Little							
Sarah Little							

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three small children
Lewis Clements Caty Clements
 Jamina Clements
 James Clements
 Hannah Clements
Crawfords Martha Crawford
 William Crawford
 Catharine Crawford
 Briant Crawford
 Mary Crawford
 Lewis Crawford
 Redford Crawford
Clarke Eve Clarke
 Child of five years
Hon Jost. Herkemer Mary Herkemer
 Ariantic Herkemer
 Caty Herkemer
 Lawrence Herkemer
 Mary Herkemer
 Margaret Herkemer
 Jacob Herkemer
Miller Lucretia Miller
 Mary Miler
 Cornelius Miler
 John Miler
 Margaret Miller
 Hannah Miller
 two children
Brown Jane Brown
 Edward Brown
 Mary Brown
 ? Small children
McLallens Jane McLallens
 John McLallens
 David McLallens

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The above information on an act published and enacted in 1780 came from this note, found on 2 pages in the Christopher Yates' collection. The Byrd Library at SU in Syracuse NY, has the original paperwork. This material has never been microfilmed or digitized, and to my knowledge is not in the public domain.

Part 1 sheet 1 of 2

An act for the removal of families of the persons
Who have joined the enemy passed the first day of July 1780
Ed note: This appears to be an amendment by the state to Attainder act
Passed in 1779. Convicting and identifying those individuals by name
who
Who were convicted by high treason. They were also placed under then
penalty
Of death and their property seized. This follow up act appears to be
related
To the corruption of blood and addresses family members indirectly.

Where as many great Mischiefs do arise from permitting the
Families of persons who have joined the Enemy to remain at their
Respective habitations in as much no such provisions frequently come out
In a private Manner to gain intellegince and commit Robberies.
Thefts and Murders upon the good people of this State and are concealed
And comforted by their Respective families.

Be it therefore enacted by the people of the State of New York
Represented in Senate & Assembly and it is hereby enacted by the Autho=
Rity of the same. That the Justices within this State, Shall notify the
Wives of all such persons as a foresaid, that they depart this State within
Twenty days of after such notice, or repair to such parts of it are within
The power of the enemy; and at their discretion to take with
Them, all, or any of their children not above age of twelve years.
That for want of a Justice of the Peace in any ward, Town, Manor
Precinct or District, the Supervisors, & and for want of Provisions the
Commissioners for detecting & defeating Conspiracies shall cause
Such Notice to be given as aforesaid.

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And be it further enacted by the Authority aforesaid, that in
Case any of the persons aforesaid, shall after the space of twenty days
After suce a Notice be found in any part of this State they shall & are
Hereby declared to be out of the protection of the Laws of this State, and
Shall be liable to be proceeded against as Enemies to this & the United States.

Provided never the less, That this Law shall not extend to
Affect such of the said persons as shall procure permits to remain at their
Respective habitations from under the hand and seals of any three of
The Commissioners for defecting & defeating conspiracies in this State.

And be it further enacted by the Authority aforesaid, That the
Several Justices of the Peace or Supervisors as aforesaid shall immediately

Continued on the next page:

Part 2-sheet 2 of 2

Ed note: the following is from the second page of the enacted document. Believed to be a hand copy in
Christopher Yates collection. Believed to be a follow up to the Act of Attainder passed in October of
1779. Designed to kill or capture 59 individuals, and seize property. This enactment in July of 1780,
targeted families and made for some tough decisions.

After Notice shall be given to the several persons aforesaid to depart
This State give Information to Someone Board of Commissioner as
Aforesaid of such persons as aforesaid together with the Characters of
The said persons respectively, and the said Commissioners are hereby autho=
=rized to give permits as aforesaid to any of the persons which they may
Esteem of good Character & not dangerous to the Liberties & Independence
Of this State & the United States.

Examined by us	Saml Thinger	Commis
	Isaac Fonda	for
	John M Beekman	Conspiracies

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End Notes:

New York State Archives. New York State Engineer and Surveyor. Records of Surveys and Maps of State Lands, 1686-1892. Series A4016-77, Volume 7, Folder 161: Laws of 1779, Chapter 25: an act "for the forfeiture and sale of the estates of persons who have adhered to the enemies of this state.

Christopher Yates Papers, Special Collections Research Center, Syracuse University Library

The Christopher Yates collection. It is part of papers found in the Yates collection that covers 1735 to 1785.

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