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HUDDY AFFAIR

(Continued from page 3)

has been acquitted upon the oaths of men of rank and character, on all circumstances of the case. To show my thorough disapprobation of the execution of Huddy, I have given orders to the judge Advocate to make further inquisition and to collect evidence for the prosecution of such other Persons as may appear to have been criminal in this Transaction.

Carleton would be forced to go after New Jersey's royal governor or else Asgil would hang. Carleton also informed William Franklin that he would continue the investigation. Franklin knew exactly what this meant. Just as Lippencott had been the sacrifice for his superiors, Franklin was now supposed to sacrifice himself for the peace talks. Franklin had no stomach for personal sacrifice; before he could be charged, he sailed out of New York City on a packet bound for England. Now the decision remained with Washington. Would he hang Asgil?

To make matters worse, Asgil's mother had written to the French royal family as

one of nobility to another, saying, "My son (an only son) and dear as he is brave . . . is now confined in America an object of retaliation! Shall an innocent suffer for the guilty? . . . Surrounded as I am by objects of distress; distracted with fear and grief; no words can express my feelings or paint the scene. Let me respectfully implore your high influence in behalf of innocence in the cause of justice."

The French government asked Congress to step in, which it finally did: "Resolved, that the Commander-in-Chief be (notified) and he is hereby directed to set Captain Asgil at liberty."

Had Franklin gotten away with murder? Not completely. In England, this American colonist was never fully accepted, and the British government turned down most of his claims for financial loss. Benjamin Franklin spoke with William only one more time, and the ever-witty Ben got the last laugh on colonial New Jersey's ex-governor, his only living male heir, when William read the line in Ben's will which said, "The part he acted against me in the late War . . . which is of public Notoriety, will account for my leaving him no more of an Estate (than) he endeavored to deprive me of."

SURFLIGHT WINS GOVERNOR'S TOURISM AWARD

At the annual Governor's Conference on Tourism held in Atlantic City in April, artistic director Steve Steiner accepted the prestigious 2003 Governor's Tourism Arts Award on behalf of SurfFlight Theatre from chairwoman Sharon Harrington of the New Jersey State Council on the Arts. SurfFlight won the only arts award, among the more than dozen tourism awards presented, for its role in attracting tourists to New Jersey.

The theater was recognized for increasing its audiences. At a time when theaters have seen a decrease in audience-size, SurfFlight has experienced an upturn by expanding programming, by extending performances into the "shoulder" seasons, and by collaborating with local Long Beach Island eateries, which, with SurfFlight, offer patrons meal/theatre packages.

THE JOSHUA HUDDY AFFAIR

by Thomas P. Farner

[third article in a series]

IN THIS ISSUE:

THE JOSHUA HUDDY AFFAIR
Page 1

FROM THE ADMINISTRATOR
Page 2

FREEHOLDERS APPOINT JOANNE COLEY TO THE COMMISSION
Page 3

SURFLIGHT WINS GOVERNOR'S TOURISM AWARD
Page 4

Even though William Franklin, Ben Franklin's bastard son, became royal governor of New Jersey, he remained loyal to his king when New Jersey declared its independence, an act of allegiance that resulted in his imprisonment for two years. Once released, he traveled to British-held New York City. From there, he planned to mastermind the reinstatement of royal authority.

The key to the younger Franklin's plan was the thousands of loyalists like himself. He was convinced that most Americans still wanted to live under the crown, that they were simply misled by a few radicals, including his father. He was sure this silent majority, if given the chance, would rally to the king's colors and stamp out the rebellion.

Franklin proposed to British commander Sir Henry Clinton that an independent force of American loyalists be formed. It would serve under loyalist officers, led by William Franklin, and would be totally independent of Clinton's control. But, Clinton was not the type of gener-

al that would relinquish power. Frustrated, Franklin used his political connections and went directly to King George who supported the plan and ordered Clinton to begin working with the American. Slowly, the Board of Associated Loyalists, with Franklin at its head, evolved. Clinton, however, still maintained control of proposed targets and operations by limiting Franklin's access to ships.

A major disagreement between the two arose over treatment of rebel prisoners. Clinton wanted them turned over to the British army for "humane treatment," fearing that intentional mistreatment would be matched by the Americans holding British prisoners. Franklin, on the other hand, wanted prisoners captured by the loyalists to be held by the loyalists.

Franklin claimed that loyalist prisoners in New Jersey were "treated with almost every Species of Cruelty . . . they were malnourished, shut up in cells where the windows were opened wide, in the severity of winter, and nailed tightly shut in the summer so that there was scarcely light enough to pick off the vermin which swarm in abundance. They were beaten, tortured, and even wantonly executed without benefit of trial." Franklin wanted what he considered to be "just vengeance," a little retaliation to match atrocity for atrocity. For most of the war, however, the British held the American prisoners.

Clinton severely limited the raids carried out by Franklin's men, and their effort had little effect on the war, which by 1781 was going badly for the British and worse for the loyalists. When General Cornwallis was forced to surrender at Yorktown, some of Franklin's loyalists were there with the British general. In the document of surrender, Cornwallis asked that these men not be "punished for their part in the battle." George Washington summarily rejected the request, arguing, "The treatment of the loyalist forces was altogether of civil resort."

Franklin took matters into his own hands because he feared that if Britain made peace, the loyalists would be abandoned to the rebels. He attempted to escalate the war by forcing a major military action. Since talks had already begun between Washington and Clinton, Franklin acted quickly.



Captain Huddy Signing His Will

(Continued on page 2)

FROM THE ADMINISTRATOR: GIVE OUR PAST A FUTURE . . .

Ocean County has some significant and precious historical properties. They are the physical links to our past that provide meaning to the present and continuity to the future. Yet, over the years, many have been demolished in the name of progress (a.k.a. development and tax ratables).

It takes hard work and commitment from individuals and local groups dedicated to preserving historic buildings. They devote time, energy, and sometimes even money to saving historic treasures in their communities from destruction. These keepers of the past maintain a constant vigilance in their communities. Protecting our rich heritage of architectural resources means making creative solutions and involving the community. It also means becoming an advocate: writing letters of support to save an historic property from development, contributing to fund a preservation effort, or joining an active neighborhood pressure group working to rescue a building from destruction. Successful preservation occurs most often at the local level. It's up to all us, not just government, to provide leadership and launch campaigns to save our rich heritage.

There is no way to restore a structure once it has become the target of the wrecking ball. Be aware; keep informed. Protect Ocean County's past for posterity.

To learn more about historic preservation, check out: www.state.nj.us/dep/hpo and www.preservationnj.org



HUDDY AFFAIR

(Continued from page 1)

Franklin chose Toms River as his target. As a small salt works and privateer base, it was protected by a blockhouse under the command of Captain Joshua Huddy. Franklin ordered his loyalists to attack and burn the village, which they did on March 24, 1782. Huddy and two other militiamen were taken prisoner and transported to New York City.

This outrageous action didn't lead to the outcry Franklin had expected. Meanwhile, loyalist Philip White was killed while trying to escape from the Freehold jail - or so the rebels said. In another attempt to escalate the war, Franklin had Richard Lippencott, one of his men, take Huddy from the New York jail to Sandy Hook to be hanged. Huddy was told to write his will, which began, "In the name of God, amen . . . I, Joshua Huddy of Middletown, in the county of Monmouth, being of sound mind and memory, expecting shortly to depart this life, do declare this my last will and testament."

A rope was placed around his neck as he stood on a barrel, which was then kicked out from under him. As he slowly strangled, a sign, that Franklin had approved, was pinned to Huddy's chest:

We, the refugees, have with grief long beheld the cruel murders of our brethren, and finding nothing but such measures daily carrying into execution, we, therefore, determine not to suffer without taking vengeance for the numerous cruelties, and having

made use of Captain Huddy as the first object to present to your view, and further determine to hang man for man, as long as a refugee is left existing. UP GOES HUDDY FOR PHILIP WHITE.

The people of Monmouth County (Ocean was then part of Monmouth) reacted as Franklin hoped. At a meeting in Freehold, a petition, "approved by upwards of 400 respectable inhabitants of Monmouth County", was drawn up and sent to Washington. It stated, "The act of hanging any person, without any, even a pretended trial, is in itself not only disallowed by all civilized people, but it is considered as barbarous in the extreme. . . . The law of nature and of Nations, points to retaliation as the only Measure which can in such cases give any degree of Security that the practice shall not become general." The citizens threatened that if Washington did not act, they "may, in vindicating themselves, open to view a scene at which humanity itself may shudder."

This was exactly what Franklin wanted: a bloodbath where the loyalists would be forced into fighting to the last. Washington's reaction to the petition was swift. He broke off negotiations with Clinton and demanded that he turn over for trial those guilty of the act, saying, "to save the innocent, I demand the guilty." Furthermore, he declared that if Clinton would not comply, a British prisoner of war, of rank equal to Huddy's, would be selected and hanged to appease Monmouth County residents.

Clinton, stating he could never accede to all of Washington's demands, wrote back, "When I heard of Captain Huddy's

death, four days before I received your letter, . . . I instantly ordered a strict inquiry to be made into all its circumstances, and shall bring the perpetrators of it to an immediate trial."

Washington was not fully satisfied with the prospects of the British trying a Loyalist for hanging a rebel, so he decided to proceed with his threat to hang a British officer. He sent orders to the commander of the prisoner of war camp holding British officers captured at Yorktown to "designate, by Lot for the above purpose, a British Captain. . . . [S]end him under a safe guard to Philadelphia. As fate would have it, the unfortunate officer selected was Captain Charles Asgil, son of a former mayor of London; his mother was a friend to the royal family of France, America's major ally.

Meanwhile, the British had found their scapegoat: the man who actually hanged Huddy, Captain Richard Lippencott of the Associated Loyalists. As with most government cover-ups, Lippencott was supposed to support Franklin's claim that he had not known anything about the execution of Huddy.

The idea of going to the gallows for his superior did not appeal to Lippencott, who based his defense on the claim that he had been following orders. He said to the court:

I, as an Associated Loyalist, was subject to be ordered on such services as the Honorable Board of Directors should . . . enjoin, and to act implicitly in obedience to such orders; that I received Huddy from the Provost in virtue

(Continued on page 3)

. . . Cynthia Smith

HUDDY AFFAIR

(Continued from page 2)

of an Order from that Board and disposed of him afterwards according to the meaning of my orders, as explained by several of the Members of the Board.

In his defense, Lippencott produced Samuel Blowers, a Massachusetts Loyalist and former law partner of John Adams. Blowers was secretary to Franklin and had been present when Lippencott showed Franklin the sign that ended up around Huddy's neck. Blowers testified that Lippencott had handed it to Franklin, saying:

"This is the paper we mean to take down with us" . . . or words to that effect, and gave the paper to the Governor. Franklin just looked on the paper and William Stewart discovered an inclination to look over his [Franklin's] shoulder to take it from him. William Cox hastily said, "We have nothing to do with that paper, Captain Lippencott. Keep your papers to yourself. The Board does not wish to see them or hear them read," or words to that purpose; the paper was then directly given back to Captain Lippencott.

Franklin then said, according to Blowers, "Will you execute [Huddy] when you take him out?" Lippencott answered, "Yes, or I couldn't have asked for him." To which Franklin replied, "Then you shall have him."

In Europe, peace talks ground to a halt as the British waited to see if Washington would hang a British officer. Not knowing his son was involved, Ben Franklin wrote to the British negotiators:

It cannot be supposed that General Washington has the least desire of taking the life of that gentleman. His aim is to obtain the punishment, committed on a prisoner in cold blood by Captain Lippencott. . . . I doubt General Washington cannot well refuse what appears to them so just and necessary for their common security.

The new British commander, Sir Guy Carleton, wrote immediately to Washington:

To your excellency's cooler judgment, it is now referred to consider . . . the [transcript of the] trial of Lippencott is now in your hands and you will find that he

(Continued on page 4)

Freeholders Appoint Joanne Coley to the Commission



At their May 7 board meeting, the Freeholders appointed Joanne Coley of Toms River to serve on the Ocean County Cultural & Heritage Commission. She will fill the unexpired term of John E. Harrington of Manchester who died in August.

Ms. Coley is assistant principal at Jackson Memorial High School (JMHS) and has been an enthusiastic supporter of the

Teen Arts Festival of Ocean County, a Commission-sponsored event, for more than twenty years. She designed and implemented the first creative writing course at JMHS and has been an advisor/administrator to several literary publications at the school, including the literary magazine, the school newspaper, and the yearbook. Her interest in the world's culture has led her to escort students on six educational tours throughout Europe, and she has served as liaison to the World Languages Honor Societies at the high school.

Her "philosophical perspective regards art and culture as significant in a way that transcends the imperfections of the human race and allows civilizations of today to glory in knowing those of the past." The Commission welcomed Ms. Coley as its newest member at its May 20th meeting.



"Success Breeds Success" panel moderator Kathleen Cavanaugh (L) and panelists (L to R): Steve Steiner, artistic director of Surfflight Theatre; Brian Hanlon, sculptor; Joseph Scarpelli, mayor of Brick Township; and Ron Dancer, assemblyman of the 30th Legislative District and mayor of Plumsted Township, at the Ocean County Cultural Summit II held at Ocean County College on April 12.