

2015-J5059

LEGISLATIVE RESOLUTION defending the New York State Patriots during the American Revolution and recognizing the Patriots from the Southern District of this State as Civilian Prisoners of War

WHEREAS, On July 4, 1776, a state of war existed between the United States of America and Great Britain; and

WHEREAS, On July 30, 1776, General Washington and Lord Howe negotiated an agreement in which citizens would be identified as subjects for prisoner exchanges: "Soldiers for Soldiers, Sailors for Sailors, and Citizens for Citizens"; and

WHEREAS, On August 29, 1776, General Washington was forced to abandon Long Island, conceding the Counties of Kings and Queens to the enemy, leaving Suffolk County open to British military conquest; and

WHEREAS, On September 1, 1776, General Nathaniel Woodhull capitulated Suffolk County to Great Britain and the citizens of said county were mandated by the rules of war to scrupulously adhere to the terms of surrender; and

WHEREAS, On October 28, 1776, the Continental Army was forced to concede the County of Westchester to the British and eventually withdrew to New Jersey; and

WHEREAS, On November 12, 1776, the Committee of Safety for the State of New York recognized the Southern District of the State (inclusive of the counties of New York, Kings, Queens, Richmond, Westchester, and Suffolk) as being "in the Power/Possession of the Enemy" and that the State of New York repeatedly used this phrase to describe the subjugation of its people and territory; and

WHEREAS, The British subjugation of the Southern District of this State led to many cruel abuses and acts of oppression against the citizenry of this State, such as: forcing citizens to swear an oath of alle-

giance of the King, using the citizenry for propaganda purposes by printing their names in THE NEW YORK GAZETTE and WEEKLY MERCURY, quartering troops in homes, confiscating wagons, horses, cattle, produce and firewood without just compensation, impressing the citizenry into labor gangs to support the British army, and desecrating churches and cemeteries; and

WHEREAS, On October 22, 1779, the legislature of the State of New York passed "An Act, for the forfeiture and sale of estates of persons who have adhered to the enemies of this State, and for declaring the sovereignty of the people of this State in respect to all property within the same," whereby identifying those individuals who had failed in their loyalty to the State of New York and the cause of American Independence and empowered the State to confiscate the property of those who had committed treason; and

WHEREAS, The State of New York regularly engaged in civilian exchanges with the British military and codified this practice, most noticeably in the 1781 law entitled, "An Act to enable the person administering the government to exchange persons applying for that purpose, as prisoners of war, for subjects of this State, prisoners of war with the enemy."; and

WHEREAS, On June 28, 1781, the State of New York sought to come to the defense of its citizens on Long Island by passing a resolution calling on its neighboring states to stop their plundering of Long Island under the guise that the citizens were British subjects, calling upon Governor George Clinton to petition the Continental Congress for the citizens' relief; and

WHEREAS, On August 7, 1781, and again on October 11, 1781, the Continental Congress came to the defense of Long Islanders by declaring them

citizens of the United States, reaffirming their rights in person and in property against the unwarranted attacks from other states under the pretext that they were subjects of Great Britain; and

WHEREAS, On November 25, 1783, the Southern District of the State of New York was liberated from enemy occupation, emancipating its citizenry and re-establishing the legitimate authority of the government of the State of New York; now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to recognize that the Southern District of this State was occupied by the enemy from July 4, 1776, to November 25, 1783, and that its citizenry was subjugated and in a condition of involuntary servitude to the enemy; that those men and women who served or aided in the cause of American Independence from April 19, 1775, to September 1, 1776, and who, by the fate of war, found themselves living under enemy occupation, shall be recognized as civilian prisoners of war and that only those individuals convicted of adhering to the enemy by the State of New York, resulting in the forfeiture of their property, shall be designated as "failing in their loyalty" to this State or the cause of American Independence; and be it further

RESOLVED, That this Legislative Body pause in its deliberations to further recognize that the citizens within the Southern District of the State of New York were victims of British oppression; that their dignity and civil rights were violated; that through the use of coercion, intimidation, and oppression, an atmosphere of duress pervaded the counties of New York, Kings, Queens, Richmond, Westchester, and Suffolk; that the alleged oaths of allegiances to the British Crown, whether printed in THE NEW YORK GAZETTE and WEEKLY MERCURY or obtained by former Royal Governor Tryon, have no legitimacy or credibility when determining the service of New York's patriots; that the State of New York rejects the use of those oaths and holds that those oaths are inadmissible and have no force and effect; that the aforementioned British acts constitute what Thomas Jefferson described in The Declaration of Independence as part of the "Works of Death, Desolation and Tyranny".