

CHAPTER IV
THE RADICAL WHIG

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THE New York General Assembly of 1769 was to sit on until it should be forgotten in the hubbub of Lexington, Bunker Hill, and Long Island. During those years Clinton and his little minority occasionally registered their protests, but there is no evidence that the young Ulsterite or any of the other radicals of the Assembly provided any really effective leadership.

At least he seems to have taken his legislative duties seriously enough to have expected others to do likewise. In March 1771, four days after the governor had prorogued the Assembly, he wrote to DeWitt from New Windsor: "Dear Charles:— Don't you think it highly derogatory to the honor power and dignity of the body of the Representatives of the good people of this colony, that a majority of their members should

not attend, and a minority attend agreeable to adjournment, adjourn over from day to day for a whole week without being able to do any business, this is the case however and while you think of it *tremble*, you know you are one of the delinquents, and if the Lord had pleased you would have been waited on by that tremendous man the *Searjant-at-arms*. How foolish you would have looked. . . ."¹ Perhaps it was Clinton's conscientiousness where public service was concerned that encouraged his compatriots to call upon him more and more for important trusts that could not be delegated to the careless and the neglectful.

It is unnecessary to follow him vote by vote through the many legislative sessions of December 1770 to March 1773. From time to time he introduced a peanut bill or two, such as the bill to prevent the use of spirituous liquors at vendues in Ulster and Orange. He championed the popular cause, when he maintained in the legislature of 1771 that the Assembly had no right to unseat representatives duly returned by their constituencies.

As the long term of the Assembly wore on, he became widely known as the most radical of the Whig members. He was an even more consistent opponent of the royal governor's measures than his famous colleague, Philip Schuyler. In February 1773, he was one of a minority of three, which did not include Schuyler, to vote against making any grant at all for the support of the King's troops. And on March 5, when some of those who were usually in the de Lancey camp voted with Clinton against increasing the appropriation for the troops, Schuyler favored the increase. In January and February of 1774 only Clinton, Woodhull, and Captain Seaman fought the appropriation. Of course Philip Schuyler was not to turn Tory, but unlike Clinton he was conservative at heart and would never stay long in any company of radicals. He could never quite forget that he was a landed aristocrat who, in Albany at least, belonged to the ruling class.

It was the refusal of the consignees to receive the famous shipments of tea that was responsible for the renewal of agitation in the fall of 1773. The Sons of Liberty were again in the field denouncing and threatening. New committees of correspondence were formed. The

¹ *Olde Ulster*, IV, 215f.

radicals were suspicious of every British move, and even the merchants were aroused. Yet the Committee of Correspondence that the impotent Assembly chose to meet the new crisis was, indeed, not a committee of firebrands, for it contained the ten well-known reactionaries: Cruger, James de Lancey, Jauncey, Walton, Benjamin Seaman, Philipse, Kissam, Rapelje, Boerum, and de Noyelles; Isaac Wilkins and Zebulon Seaman who were middle-of-the-road men, and only one radical, George Clinton. But the very composition of the committee, including as it did so many merchant members, was significant of the renewal of merchant protest against British measures.

After the prorogation of the Assembly on March 19, 1774, Clinton probably returned to New Windsor, leaving New York City which was for over two years to remain the center of agitation and of action. He consequently played no direct part in the rise of the committees which were to dominate politics and to leave the General Assembly a neglected and innocuous body.

It has been said that the rural counties of New York remained decidedly apathetic during the ten years of protest; that the farmers, naturally conservative, made good allies for the merchants. Colden wrote to Dartmouth on July 6 that, "The present Political zeal and frenzy is almost entirely confined to the City of New York. The People in the Counties are in no ways disposed to become active, or to bear any Part in what is proposed by the Citizens."² The farmers of Ulster and the other river counties were, however, quietly sympathetic toward the forces that were leading to revolution. Few of them were to become Tories. In the General Assembly of 1769-1775, no member of Clinton's party came from a constituency that bordered on New York County. They came only from the rural regions. But political organization in the country districts was difficult: there were very few public carriers in 1774; roads were wretched and forty miles was a day's travel. Naturally patriot agitation came first from the mechanics, tradesmen, and Sons of Liberty of New York City where it was easier to agitate and organize.

Difficult as it was to meet and arouse public sentiment in the rural

² Jones, *New York*, I, 469. Cf. A. M. Schlesinger, *The Colonial Merchants and the American Revolution* (New York, 1917), 332.

counties, they were not always inactive. The New York County Committee, ready for any measures short of non-importation, suggested to the counties that produce might be sent to relieve Boston which was now bottled up by the notorious Port Bill. The people of Ulster seized upon the opportunity and many farmers gave two or three bushels each of wheat. George Clinton offered to grind, bolt, and pack without charge all the wheat sent to his mill for the purpose. And the response was evidently a generous one, for a neighbor estimated late in October that the county would probably send four or five hundred barrels of flour to Boston.³ Evidently Clinton did not forget politics between March 19, 1774, and January 10, 1775, when the Assembly was not in session.

During the first three months of 1775 the party of law and order had its last inning. The tenacious General Assembly, which had been elected in April 1769, met on January 10 and adjourned for the last time on April 3, regretted only by George III. Its adjournment marked the end of the colonial period in New York.

Indeed, no one very much cared whether it met or not.⁴ The fire-eaters of course favored approval of the radical measures of the First Continental Congress which had gathered in Philadelphia in September of 1774. But if the Assembly decided to approve, which was unlikely, it would probably proceed to choose a delegation of stand-patters to represent the province—or was it now the state?—in the next Congress. The moderate conservatives of the Schuyler brand had no great love for the Congress and its measures, but they saw that the Assembly, by repudiating the Congress, would play into the hands of the demagogues. The Loyalist members of the Assembly from New York and Westchester only wanted to ignore the Congress. Colden alone seems to have hoped for something from the Assembly: appropriations and just enough assertiveness to prevent the calling of a revolutionary provincial congress.

Clinton and his party would fight for a vote of approval of the Continental Congress and its non-importation proposals, for the ap-

³ *Newport Mercury*, November 22, 1774, quoted in the *Magazine of American History* (1882), 359.

⁴ Carl L. Becker, *The History of Political Parties in the Province of New York, 1760-1776* (Madison, Wis., 1909), 174-178.

pointment of Whiggish delegates to the Second Congress, and for a clear statement of grievances. And they would oppose appropriations on principle. Beyond that they had no definite program. They would, of course, be outvoted, but they would at least make the Assembly show its Loyalist colors. In this they succeeded.

The majority suppressed the minority on January 26 when the Assembly refused to approve the proceedings of the Continental Congress. The vote was close, 11 to 10.⁵ Clinton not only voted with the minority, but showed himself a "flaming republican" in debate. According to a Tory contemporary, he declared that while he could not draw his sword against the King in any but an urgent cause, the time was drawing near when the colonies must arm—and the sooner men realized it the better. The chair called him to order; he made some sort of apology for his brusqueness, and the Assembly's decision stood.⁶ One is reminded of certain of Patrick Henry's early indiscretions.

Throughout the session the minority remained much the same. Whether the vote concerned the Continental Congress, or the publication of letters received by the committee of correspondence,⁷ or a grant of funds for the protection of Cumberland County,⁸ the defeated cabal generally included Schuyler of Albany, Ten Broeck of Rensselaerwyck, Peter Livingston of the Livingston Manor, Pierre Van Cortlandt of Cortlandt Manor, Captain Zebulon Seaman of Queens, Woodhull of Suffolk, Thomas of Westchester, and Clinton of Ulster. Significantly enough the four members from New York County with Philipse and Wilkins of Westchester were the directorate of the majority—New York and Westchester Counties were to be the great centers of Toryism in the state.

The sole accomplishment of the Assembly that pleased the radicals was the adoption of a "Statement of Grievances." Clinton, Schuyler, and Brinckerhoff of Dutchess were the only members of the opposition among the eleven members of the Assembly's committee on grievances.⁹

⁵ Cf. Colden to Dartmouth, March 1, 1775, Jones, *New York*, I, 494.

⁶ Jones, *New York*, II, 328.

⁷ *Assembly Journal*, February 26, 1775.

⁸ *Ibid.*, March 30.

⁹ Appointed January 31; Peter Force, comp., *American Archives* (9 vols., Washington, 1837-53), series 4, I, 1288.

The committee reported a rigorous statement of grievances on February 23 and a month of debate began.

The many tedious pages of argument and resolution on the journal of the General Assembly show clearly where the extremists of both camps stood. Clinton and Schuyler alone objected to de Lancey's resolution that King and Parliament had a right to regulate the trade of the colonies and lay duties on foreign imports which might compete with the products or manufactures of Britain or her other dominions. It is perhaps surprising that this Assembly of reactionaries was willing to add to de Lancey's resolution Schuyler's amendment excluding from the right of King and Parliament to regulate and lay duties, "every idea of taxation, internal and external, for the purpose of raising a revenue on the subjects of America without their consent." But reactionaries may turn ultra in defense of their property interests.

The body resolved unanimously that the operation of the admiralty courts in such a way as to deny the accused a trial by a jury of the vicinage, the prohibition of the emission of paper money, the tax on tea, and the encouragement of Roman Catholicism in Quebec were grievances. Clinton probably voted emphatically against popery, for later in the same debate he was to suggest as a synonym for "the Roman Catholic religion," the term, "a sanguinary religion equally repugnant to the genuine simplicity of Christianity, and the maxims of sound philosophy." By votes somewhat less than unanimous the Boston Port Act and the Massachusetts Government Act were declared grievances.

McDougall wrote to Josiah Quincy Jr., that after the Assembly had passed its excellent Statement of Grievances, many of the country members went home. The "wicked and designing members of the House" then seized upon their opportunity and ignored the spirit of the List of Grievances in framing a Petition to the King, a Memorial to the Lords and a Remonstrance to the Commons.¹⁰ Clearly, the country members were the firebrands.

Clinton, however, stayed on to take a prominent but largely fruitless part in the debates on the petition, memorial, and remonstrance. On March 24 he moved to substitute for a mild objection to the Boston

¹⁰ *American Archives*, series 4, II, 282f. There was, however, no noticeable decrease in the voting strength of the radicals.

Port Act and the Massachusetts Government Act, a resounding condemnation of ministerial policy in general, adding, "nor can we avoid declaring, that we view those acts with that jealousy which is a necessary result of a just sense of the blessings of freedom, and abhor the principles they contain, as establishing precedents subversive of the rights, privileges and property, and dangerous to the lives of your Majesty's American subjects." His motion was defeated by the usual vote, 15 to 8. And it was by this vote that the Petition to the King was adopted by the Assembly. Clinton, Schuyler, DeWitt, Van Cortlandt, and Woodhull were among the eight.

Later on the same day the Remonstrance to the Commons was under discussion. Paragraph four stated the colonists' right to exemption from internal taxation as the undoubted and unalienable right of Englishmen. Clinton moved to claim complete exemption from parliamentary taxation by deleting the word "internal," but his motion met the inevitable defeat. Subsequently the Remonstrance, the Memorial, and the Petition were all adopted by the Assembly.

Before the Assembly adjourned for the last time on April 3 it appointed a committee to obtain information of all acts of the British government which affected the liberties of America and to maintain a correspondence with the sister colonies. Clinton was made a member of this mock committee of correspondence. Its substantial Tory majority insured its entire ineffectiveness.¹¹

As early as February the radicals, who saw that the Assembly would wash its hands of the extra-legal Continental Congress, were urging that delegates to the Second Continental Congress be chosen whether the staid Assembly liked it or not.¹² They resolved upon a provincial convention which would represent the whole province and would sit for one purpose only. In this way they would get a new and more satisfactory delegation than the delegation of 1774 which New York City, left to itself, might name again.

The Committee of Sixty appealed to the counties to name their deputies. Only Tory Richmond and the distant and sparsely settled

¹¹ *Assembly Journal*, April 1, 1775.

¹² From Philip Schuyler and others to Abraham Yates Jr., February 25, 1775; *Abraham Yates Jr. Papers*.

counties which had no substantial body of independent yeomanry, Tryon, Gloucester, Cumberland, and Charlotte, failed to respond. Westchester was keenly contested, and there was opposition in Dutchess and on Long Island. But the Hudson River counties, excepting those mentioned, showed that they were strongly in favor of what might be called, not only an extra-legal, but a revolutionary meeting. In Ulster, for instance, every town but one, Mamacotting, either took part in the meeting at New Paltz, where the Ulster deputies were named, or approved of its action.¹³ Ulster's deputies were Levi Pawling, Charles DeWitt, and George Clinton. This choice made possible Clinton's selection as a member of the Second Continental Congress.

His election to the Convention did not receive unanimous approval. His old neighbor, Cadwallader Colden, second, and two other Ulster Episcopalians, Peter and Walter Du Bois, registered a protest. The meeting at New Paltz, which had named Clinton, Pawling, and De Witt, was, they declared, without authority. New York had its constitutionally elected assembly and to create unlawful provincial and continental congresses had "a direct tendency to sap, undermine, & destroy our most Excellent Constitution, and introduce a Republican Government with its Horrid concommitants, Faction, Anarchy, and finally tyranny."¹⁴ They seem to have suspected that Clinton and his colleagues had already turned republican.

April 20, 1775, the day of the meeting of the provincial Convention, has been declared the birthday of the State of New York. However that may have been, George Clinton was present at the event.

The Convention was faithful to its mission. It chose a distinguished Whig delegation to represent New York in the approaching Continental Congress.¹⁵ Seven of the twelve had been delegates to the Congress of 1774: Jay, Duane, Alsop, Floyd, Boerum, Wisner, and Philip Livingston. Five of them were new men: Lewis Morris, Francis Lewis, Robert R. Livingston Jr., Philip Schuyler, and George Clinton. These twelve men, or any five of them, were given full powers "to meet the Delegates

¹³ *Ibid.*, 352.

¹⁴ New York Secretary of State, *Calendar of Historical Manuscripts, Relating to the War of the Revolution, in the Office of the Secretary of State* (2 vols., Albany, 1868), I, 22-23.

¹⁵ *American Archives*, series 4, II, 357.

from the other Colonies, and to concert and determine upon such measures as shall be judged most effectual for the preservation and reëstablishment of American rights and privileges, and for the restoration of harmony between Great Britain and the Colonies." The reëstablishment of American rights came before the restoration of harmony! The revolution was in full swing and Clinton was in the van!

Two days later the Convention, with a restraint unusual in revolutionary bodies, passed into history. And on May 12, when the Philadelphia Congress was assembling and when New York should have had at least five representatives present, instead of only Alsop, Duane, and Philip Livingston, George Clinton left for the Quaker City.¹⁶ He was never to show any exaggerated zeal in the federal service. His first loyalties were always within the borders of New York, and his career at Philadelphia and later at Washington was too often one of regrets and might-have-beens. He took his seat in the Congress on the fifteenth with four other newcomers from New York, and was constant in his attendance, with the exception of one hurried trip to New York on military matters, until August 2. For this he received 32 shillings a day.¹⁷

Thomas Jones wrote that the Ulster arch-patriot took an active part in the business of the Congress. He was violent and quarrelsome, and derisive of all things British. He ridiculed all accommodation and would have no talk of reconciliation. In one enthusiastic speech he went so far as to wish a poniard in the heart of the royal tyrant of Britain and to promise a contribution towards a handsome reward for any who would act the Brutus part in "so religious, so glorious, and so patriotic an act."¹⁸ But the journals of the Continental Congress only occasionally mention his name. It is altogether likely that he seldom asserted himself in full meeting and spoke infrequently. His reticence may have been due to embarrassment in the presence of the famed delegates of colonies more aggressive than New York or it may have been due simply to his lack of forensic ability.

¹⁶ Stokes, *Iconography*, IV, 885.

¹⁷ *Public Papers of George Clinton*, I, 664. The dates of Clinton's service in Congress are given in E. C. Burnett, ed., *Letters of Members of the Continental Congress* (8 vols., Washington, 1921-36), I, liii.

¹⁸ Jones, *New York*, II, 328.

Clinton's interest even then, a year before the Declaration of Independence, was largely in military preparations. There is, as Thomas Jones indicates, no reason for believing that Clinton cared a fig for measures of reconciliation with the motherland. And in this he was doubtless representative of thousands of rural New Yorkers who only two years later were to put their stamp of approval upon Clinton's career by making him governor of the new born state.

New York had achieved the reputation of being a conservative colony, yet even there, months before Tom Paine's rousing *Common Sense*, men were getting ready to fight. When the news of Lexington arrived on April 23, Sears and Lamb paraded through the town with the mob, flags flying and drums beating, to invite all good patriots to take up arms. The arsenal was broken open and the arms distributed to the faithful—or rather, to the unfaithful. The troops were forced to confine themselves to their barracks, their supplies were seized, and provisions destined for the king's troops in Boston never reached their destination. McDougall, Sears, Van Zandt, and others were storing away gunpowder. On May 1 the New York Committee met and unanimously appointed a committee on the purchase of "Arms, Ammunition, and Provisions." Samuel Broome and his Military Association Company offered their services to the Committee. "The Spirit of army, and Military Parade still runs high in the City," Colden wrote on June 7. Colden soon retreated to his Long Island farm and the Tory President of King's College, Dr. Cooper, barely escaped a mob of patriots to take ship for England. It was said that the library he left behind him sold for £5, his liquors for £150. And early in the fall, October 19, Governor Tryon showed his discretion by boarding the *Halifax Packet* from which he soon moved his quarters to the *Duchess of Gordon*.¹⁹ Clearly enough the Revolution was under way by the summer of 1775 and men like Clinton knew it.

The Continental Congress might listen to the proposals of its moderates, Jay and Duane, for another petition to the King, but it went quietly to work preparing for the coming conflict. It was perhaps due to George Clinton's efforts²⁰ that the Congress turned its attention on

¹⁹ *American Archives*, series 4, II, 468, 479, 536-38; George Clinton, *Public Papers*, I, 200; Jones, *New York*, I, 39, 59, 61, 498-501; Becker, *Political Parties*, 225.

²⁰ *Olde Ulster*, IV, 103-04.

May 25 to the defence of New York and resolved that posts be selected on either side of the river in the Highlands of the Hudson and that batteries be erected in such a manner as to "effectually prevent any vessels passing that may be sent to harass the inhabitants. . . ." On July 27 the Congress appropriated a very substantial sum of money for "importing gun powder for the continental armies." Half of this sum was to be paid to Philip Livingston, John Alsop, and Francis Lewis, who were not only merchants and as such ready to purchase gunpowder for a five per cent commission, but who were also New York delegates to the Congress which was voting the money. Four days later George Clinton was named a member of the recess committee for investigating the supply of virgin lead and leaden ore and the best methods of collecting, refining, and smelting it.²¹ The Congress was thinking more of bullets than of conciliation.

The movement of protest which had been guided through the era of the Stamp Act and the Townshend duties by the moderate conservatives, many of them merchants whose trade was threatened, had after the tea episode fallen into the hands of the radicals. These latter, like Clinton himself, were concerned with more than duties and taxes; they talked of natural rights, of the equality of all men, and of other doctrines that were anathema to the conservatives. Now that the mechanics, artisans, tradesmen, and yeoman farmers had joined the protest movement, the merchants found themselves and their policy of moderation overwhelmed in the flood of rebellious radicalism. Many of the conservatives made the best of the situation, joined with those who defied the King, voted for independence, and then worked steadily for half a generation to win back the leadership they had lost, and, incidentally, to win for themselves the privileges and prerogatives of the dethroned court party. Their victory about the year 1790 ushered in the Hamiltonian or Federalist era in American history.

While men were reciting cant phrases of loyalty to George III, May of 1775 saw Ethan Allen and Benedict Arnold seize Fort Ticonderoga from His Majesty's troops; it saw Seth Warner capture Crown Point; and it heard the request of the Committee of One Hundred, which

²¹ Library of Congress, *Journals of the Continental Congress* (32 volumes, Washington, 1904-36), II, 210, 224.

had replaced the Sixty in New York City, that the people save canvas for tent cloth. In June the New York Congress offered a bounty to makers of gunpowder and ordered that Continental troops be raised in the province. During the same month the Continental Congress made Washington its commander-in-chief and elected Philip Schuyler a major general and placed him in command of the American forces in New York. In August James Clinton was named colonel of the third regiment. In November Montgomery captured Montreal from the forces of the King to whom the "colonists" still proclaimed their loyalty, and in December, as we shall see, George Clinton was appointed by the Provincial Congress a brigadier general of militia.

Clinton's attendance upon the Continental Congress at Philadelphia from May 10 to August 2 was broken by a hurried trip of about ten days to New York "on troop business," and while in New York City he took charge of the preparation of a public spread that was given to the newly chosen commander-in-chief when he passed through the city on his way to take command of the troops at Boston. Washington, leaving Philadelphia on June 25, narrowly escaped an embarrassing encounter with the royal governor William Tryon who arrived in New York on the same day. But Washington, fortunately for all concerned, came in the morning, enjoyed Clinton's dinner, and left for the northward before Tryon landed in the late afternoon.²²

By now an ardent revolutionary, Clinton was devoting most of his time to the public service. There must have been but little left of his law practice and his family, especially his little daughter Catharine, were complaining bitterly of his long absences from home in the winter and spring of 1775.²³ It is likely, however, that he was with his family again in the early fall of that year when he suffered for some weeks from "an exhausting Disease." He kept constantly in touch with his farm at New Windsor and with political developments in Ulster County, where he was a power to be reckoned with. According to Thomas Jones, Clinton was the terror of the Ulster Loyalists. He was "as absolute and despotic in Ulster, as the French King in France, and

²² John C. Fitzpatrick, *George Washington Himself* (Indianapolis, 1933), 170; Martha J. R. Lamb, *History of the City of New York* (3 vols., New York and Chicago, 1877-96), II, 46.

²³ George Clinton, *Public Papers*, I, 214.

as cruel and arbitrary as the Grand Turk. He tried, condemned, imprisoned and punished the Loyalists most unmercifully. (They were by his orders tarred and feathered, carted, whipped, fined, banished, and in short, every kind of cruelty, death not excepted, was practised by this emissary of rebellion). . . ." ²⁴

Although this portrait of Clinton as a Tory baiter was doubtless much too highly colored for the political effect it would have at the time Jones was writing his history, there is no doubting that Clinton was completely carried away by the passions of the war that he and his kind had done so much to bring on. Clinton, as we shall see, accepted with all sincerity the ideals, the slogans, and the prejudices of the Revolution. Later, when other men like Schuyler and Jay and Hamilton had forgotten to hate aristocracy, to distrust distant governments, to detest Tories, to mistrust England, to oppose taxation from afar, and to struggle against restrictions on trade, Clinton clung passionately to the ideals of 1775.

It was not entirely clear why this country lawyer, and thousands like him, became fervid revolutionaries. Clinton had of course been concerned both as a clerk of court and as a lawyer with the stamp tax on legal papers, but that tax had been repealed. He could scarcely have relished the Townshend duties, but they had been repealed except for the tax on tea—and his account books, several of which have survived the Albany fire, show that tea was by no means the drink which most concerned him. There is nothing to indicate that Clinton, lawyer though he was, had been first aroused by the constitutional merits of the American cause. Rural patriots in '75 were not students of the British Constitution, and American lawyers and historians today are by no means agreed that the Americans constitutional position was a strong one. More important, perhaps, was the fact that business had often been poor in the late 'sixties and early 'seventies, and the trade restrictions adopted by the ministry had aggravated the situation. Men quickly forgot their loyalty to a regime which cannot give them prosperity. Then there was Clinton's innate distrust of men and measures far removed from his provincial horizons. If he was later to distrust an administration no farther off than the shores of the Potomac,

²⁴ Jones, *New York*, II, 327.

how much more must he have suspected the motives of a government on the Thames! Certainly he did not intend to tax himself for the support of an empire that reached to Bombay.

But more than by the badness of the times or the remoteness of empire, Clinton was probably influenced by a compelling desire to play a part in the political life of the province. Under the regimes of Colden and of Tryon he found no career open to him. Naturally he drifted into the opposition and, being a man of strong character, impetuous and aggressive, he soon found himself in the van of the movement of protest. He must have detested the superciliousness of the self-styled aristocrats whom he faced in the courts and in the General Assembly, for he acquired a life-long aversion to all things aristocratical or monarchical. His detestation of New York's ruling class was to vent itself in his rigorous treatment of the Tories who fell into his clutches. George Clinton was representative of New York's newly fledged bourgeoisie, rural and urban, which had submitted long enough to the neglect of a snobbish ruling class and was now ready to contest with that ruling class the political control of the province.

Clinton's Ulster neighbors were but little less fanatical in their patriotism than was Clinton himself. Ulster, once its stolid Dutch and Scotch-Irish farmers had been aroused, ranked with Albany as one of the most aggressive of the rural counties. The rustics of Ulster, unconcerned with the restrictions on trade that exasperated the merchants of New York City, or with the ambitions of Clinton, Sears, McDougall, and their kind for political leadership, were vitally concerned with the natural rights philosophy of the Revolution. "Levelling principles are held up in Spencertown," Henry Van Schaack wrote his brother Peter from Albany County. "In short, the country is convulsed everywhere. God knows what the end will be."²⁵ Men spoke of "sons of liberty" and of "enemies of liberty." It is significant that New Windsor's Committee of Observation was chosen not only by the freeholders, who had enjoyed the franchise in the past, but also by the "other inhabitants." Those who read in their weekly gazettes long columns proclaiming the doctrine of the equality of all men could not be expected to resign themselves to perpetual disfranchisement. Clinton

²⁵ May 18, 1775; Van Schaack, *Henry Van Schaack*, 46f.

himself was a whole-hearted convert to the philosophy of the new democracy.

He devoted about three months of 1776 to the Continental Congress. The Ulster representatives in the New York Congress were instructed in no uncertain terms by the Ulster Committee to use their utmost influence to have him named a delegate to Philadelphia.²⁶ He received £148/16 for ninety-three days' service, March 10 to May 4 and June 6 to July 12, which included compensation for twenty-two days spent on the road. This was at the rate of thirty-two shillings a day.²⁷

Clinton never appeared to relish legislative duty, and he took but little part in the debates of the Congress. Indeed, the New York delegation was not an inspired one. Edward Rutledge wrote to Jay from Philadelphia on June 29 that Jay was needed at Philadelphia to strengthen the New York delegation, for "Floyd, Wisner, Lewis and Alsop though good men, never quit their chairs. . . . Clinton has Abilities but is silent in general and wants (when he does speak) that Influence to which he is entitled."²⁸

As might have been expected, Clinton's interests were chiefly military. He was a member of the cannon committee and New York's representative on the committee "to enquire into the cause of miscarriages in Canada," but was succeeded in this latter capacity on July 6, before the committee had made its report, by his colleague William Floyd.²⁹

The repulse at Three Rivers of the American forces operating against Canada was responsible for a significant concession by the five New Yorkers in the Congress. A new battalion of four regiments was to be raised to support the forces in Canada and one of the regiments was to be raised in New York. The Congress itself on June 26, contrary to practice, had reluctantly named the officers for the new troops. The New York delegates protested at the time but offered no further opposition because, as Clinton wrote John McKesson on the twenty-sixth, they did not want New York to incur the odium of blocking an

²⁶ *American Archives*, Series 4, VI, 898.

²⁷ George Clinton, *Public Papers*, I, 664. According to his account rendered he left Philadelphia about July 6.

²⁸ Burnett, ed., *Letters of Members of the Continental Congress*, I, 517.

²⁹ *Journals of Continental Congress*, IV, 272; V, 474.

emergency measure.³⁰ This has been called the first indication of Clinton's infection with states' rights.

The weeks of Clinton's service to the Continental Congress probably saw the strengthening of his life-long friendship with Washington. The commander-in-chief had just returned from his victorious siege of Boston, and as it was likely that New York would be his next theater of operations, he needed advice respecting its men and resources and the Hudson Valley itself. This Clinton was able to furnish, and Washington conferred with him frequently during the weeks when both were at Philadelphia.³¹ A real affection grew up between the two men who, in spite of the superficial dissimilarities produced by the very different Ulster and Virginia environments, were remarkably alike in those more substantial characteristics that were destined to make them the first chief magistrates of a great state and a great nation. Clinton showed his respect for Washington when in 1778 he named his only son George Washington Clinton and five years later had his fourth daughter christened Martha Washington Clinton.³²

Clinton's failure to take rank with the more select immortals of American history has been to no small degree the result of his failure to sign the Declaration of Independence. He was in Philadelphia while the Declaration was being prepared and it is barely possible that he voted for it on July 4.³³ But he was back in New York on military duty weeks before the signatures were affixed in August. He must have regretted his inability to climax his long years of opposition to ministerial policies by affixing his signature to the great declaration.

If New York had not been the most conservative province in America, Clinton might well have achieved canonization as a "Signer." New York's third provincial congress, which was elected in April 1776, was remarkably moderate in its politics—so moderate that it shied at any move toward independence. Yet it was scarcely practicable to

³⁰ *Ibid.*, V, 481f.; *American Archives*, series 4, VI, 1080. McKesson, a frequent correspondent of Clinton's, was a secretary of the New York Congress. *Ibid.*, 1310.

³¹ Washington Irving, *The Life of Washington* (5 vols., New York, 1855-59), Book II, 70.

³² She died in 1795.

³³ He may have been in Philadelphia to July 6, 1777. *Public Papers*, I, 664. Dr. Flick in *History of the State of New York*, III, 281, states that the tradition "seems to lack substantiation from the contemporary records."

drift along indefinitely without a decision. If the colonies were not to come to terms with the King they must insist upon independence. Business was bad; for trade with Britain was at a standstill, and even intercolonial trade was suffering severely. The opening of the ports of the colonies to the world in April might mean more trade but it also meant friction with the royal authorities. Independence seemed inevitable. Many of the other colonies were ready for the step, but the New York Congress held back.

Probably Clinton could have made more of a contribution to the movement toward independence had he occupied his seat in the New York Congress than he did at Philadelphia. But his membership in both the third and fourth New York Congresses was scarcely more than nominal; he sat only a few days.

The Committee of Mechanics on May 29 demanded that the New York delegates at Philadelphia be instructed to vote for independence. The Provincial Congress, unwilling to face the issue and entirely willing to delay action at Philadelphia, professed itself without authority and on June 11 notified the delegates that they were not authorized to commit the province. Richard Henry Lee had already on the seventh introduced his famous motion, "That these United Colonies are, and of right ought to be, free and independent States; . . ." This had prompted the New York delegates on the eighth to appeal to the Provincial Congress for instructions since, "Some of us consider ourselves as bound by our instructions not to vote on the question of independence." Nevertheless Robert R. Livingston, who had objected to Lee's motion on the ground that the middle colonies were not yet ready for the plunge, was placed with Jefferson, John Adams, Franklin, and Sherman, on the committee to draft a Declaration of Independence.

Massachusetts and Virginia were ready for the decision. After all, it would be only a perfunctory recognition of a *fait accompli*. Every colony had already defied the King many times over. Even New York, which, with its exposed position and its plentiful crop of Tories, was the most conservative of them all, had come close to asserting its independence on May 27 when its Congress had decided to call a convention for constructing "a new internal form of government" to continue in full force "until a future peace with Great Britain." Yet the Continental Congress delayed action on independence until July, and

even then, on July 2, the other twelve colonies voted themselves independent of Great Britain without the support of New York.

"The important Question of Indepency was agitated yesterday in a Committee of the whole Congress," Clinton and the other New York delegates wrote to the Provincial Congress on the second of July, "and this Day will be finally determined in the House. We know the Line of our Conduct on this Occasion; we have your Instructions, and will faithfully pursue them." Expecting, however, that the vote for independence would be nearly unanimous, they requested to be instructed whether they were to be considered as being bound by the vote of the majority. They urged that "it is our Duty nay it is absolutely necessary that we should not only concur with but exert ourselves in forwarding our military Operations."⁸⁴ Clearly, Clinton and his colleagues were impatient at the indecision of the Provincial Congress.

They were of course unprepared to vote for the adoption of the Declaration of Independence on the fourth, and George Clinton had left Philadelphia before the newly elected Provincial Convention which met at White Plains on July 9 relieved the doubts of the delegates by resolving unanimously, "that the reasons assigned by the Continental Congress for declaring the United Colonies free and independent States are cogent and conclusive; . . ." It authorized the delegates to concur in all measures which they might deem conducive to the welfare of the "United States of America."⁸⁵ When the Declaration of Independence was signed in August, William Floyd, Philip Livingston, Francis Lewis, and Lewis Morris signed for New York.

The radical democrats must have been jubilant. The June elections had eliminated the last Loyalist remnant from the new State's legislative body.⁸⁶ The conservatives of the Jay variety had been definitely repulsed in their efforts to block independence. And they were to suffer a further repulse on August 1 when the Convention appointed a committee of thirteen to report a bill of rights and a plan of government. The revolutionary democracy had for the moment overcome domestic opposition. It now had only the Tories and the King's troops to deal with!

⁸⁴ Burnett, *Letters . . . Continental Congress*, I, 524-25.

⁸⁵ *Journal of Provincial Convention*.

⁸⁶ Becker, *Political Parties*, 274.