

CHAPTER IX

THE WAR GOVERNOR

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THE recovery of New York City from the British, so important to the commercial life of the state, must have been one of George Clinton's fondest hopes. Yet in the spring of 1778 Clinton, who two years earlier had so strenuously opposed the evacuation, was advising Washington against an immediate attack on the city. Washington had consulted McDougall, Parsons, and Clinton on the project; and Clinton for one had urged delay until the new fortifications in the

Highlands should be ready, an adequate force of militia in reserve, and sufficient hay and provisions on hand.¹

Clinton hoped, however, that it would soon be possible to strike. Yet the plan hung fire for months. Washington fully expected to attack the city in the fall of 1779 and Clinton's legislature had adjourned at Kingston on October 25 after a brief session in the expectation of the arrival of the French fleet and the commencement of operations. To coöperate with Count d'Estaing, Washington asked Clinton for 2500 New York militia. Clinton replied five days later that he flattered himself "with the Hope that no Failure will take Place, for want of a prompt & full Compliance . . ." on the part of New York.² More months went by; Washington made preparations in the spring of 1781; but the attack was never made. The projected attack on the metropolis, nevertheless, played its part in the winning of the war, for by feigning an attack upon New York in the late summer of 1781, Washington prevented Sir Henry Clinton from reënforcing Cornwallis until it was too late.

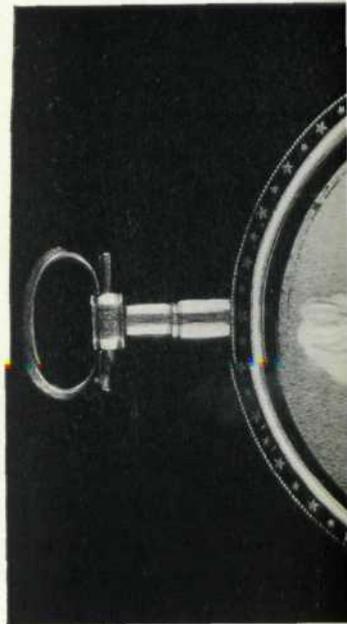
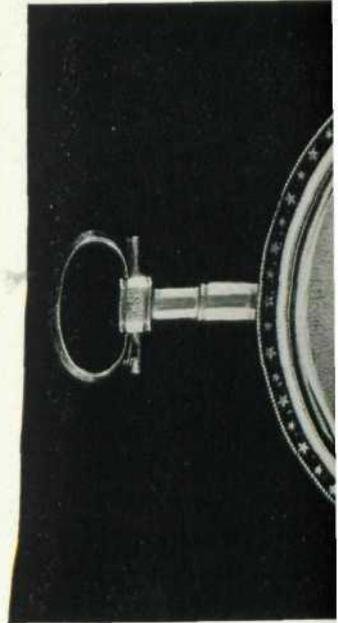
Among the tasks of the war governor in 1778 was the not entirely agreeable one of serving as a member of the court martial assembled in October to try that devoted but not always popular patriot, Major General Philip Schuyler. Schuyler was accused of neglect of duty and consequent responsibility for the loss of Ticonderoga. Clinton thought the charge "vague & general" and probably concurred heartily in the verdict of the court that Schuyler was not guilty.³ There is nothing to indicate that the court martial of 1778 was in any way responsible for the later coolness between Clinton, who up to that time had admired and frequently supported Schuyler, and Schuyler, who never could quite bring himself to accept Clinton.

It was not, however, always possible for the governor to come officially to the rescue of old friends; and where his passionate devotion to the great cause of the Revolution clashed with personal friendships, the friendships were sacrificed. One of those friend-

¹ Hall, *Samuel H. Parsons*, 170.

² *Public Papers*, V, 292, 317, 520; Washington to Clinton, October 4, 1779, in *Magazine of History*, March 1907, pp. 138-39.

³ *Public Papers*, III, 621. The minutes of the court martial are reprinted in the New York Historical Society, *Collections*, 1879 (New York, 1880).



ships was that with Clinton's old mentor in the law, William Smith, the historian. The governor was constantly called upon to allow the passage down the river into the enemy lines or to Canada of all descriptions of people—Loyalists, wives and families of Loyalists, prisoners, persons having property or business in New York, or persons going to England. It was not easy to prevent the abuse of such privileges. The governor felt it necessary in the winter of 1778 to refuse permission to the eminent Tory lawyer, Peter Van Schaack of Kinderhook, to visit his consumptive wife in New York City. He was ready to exchange prisoners of equal rank but he was unwilling to exchange British soldiers for American civilians. In the case of Loyalist women, Clinton's rule was to give permission only when the British authorities were willing to reciprocate by allowing American women to visit husbands in state territory.⁴ He did not intend to allow able-bodied Loyalists to cross the line unless a satisfactory exchange could be arranged. Consequently when, in the summer of 1778, his old friend William Smith, who had recently announced his loyalty to the Crown and his willingness to accept exile, applied to the governor for permission to take with him his several male servants, Clinton refused. His slaves, Clinton pointed out, he might sell in New York State, and his white servants, "hardy Scotch Hierlings," he might take with him by securing their exchange for any two New Yorkers in the power of the enemy. When Smith complained to Washington of this verdict, Clinton thought him "unjust and unreasonable." Yet Clinton went to much trouble to have the historian's effects transported under a flag into New York.⁵

The governor was a thorough-going Whig with almost as little sympathy for men like William Smith, who tried to compromise their loyalties to both King and country, as for out and out Tories like his neighbors, the Coldens. A member of his family was later to "reflect with pleasure, and even with exultation, that not one branch of our Families, have ever been Tories, or in *Synonymous Terms Federalists*."⁶ It was one of Governor Clinton's principal policies to

⁴ *Public Papers*, III to VII, *passim*.

⁵ *Ibid.*, IV, 7, 326, 348.

⁶ Joseph Young to DeWitt Clinton, May 25, 1812, DeWitt Clinton Papers, Columbia University Library.

stamp out disaffection and loyalism in the state, and in general he was successful. At his order Tories were tried, proscribed, jailed, or exiled even before he became governor, but the Tory's lot became an even more unhappy one after the establishment of the new state government in 1777.⁷ Even the pacific Quakers became subjects of his displeasure and he suspected their loyalty.

Vigorous anti-Tory measures seemed necessary, for New York had a larger proportion of Tories in its population than any other state. In 1776 the state Convention decreed death for the disloyal and it appointed a committee for detecting and defeating conspiracies. This committee was revived in the fall of 1777, perhaps because of the new governor's urging, and it continued its purgative work until the end of the war. The governor kept in constant touch with it⁸ and also with many of the local committees engaged in the crusade against the Tories. Loyalist property was seized and sold for the benefit of the impecunious state treasury. By the famous confiscation act of October 22, 1779, drafted by John Morin Scott and James Jay and approved by George Clinton, fifty-nine prominent Loyalists lost their estates. Commissioners of forfeiture were appointed, who began in 1780 the sale of forfeited estates and a veritable revolution in tenures took place in the state through the division of many of the great Tory estates into small holdings. The Trespass Act became law in 1783. Loyalists were attainted; thirty or forty thousand were driven from the state to Canada, Nova Scotia, or England; and those who remained were to be disfranchised by the act of May 12, 1784.⁹

George Clinton probably approved whole-heartedly of all the anti-Tory measures. Thomas Jones declared that Clinton "had rather roast in hell to all eternity, than consent to a dependence upon Great Britian, or show mercy to a dammed tory." According to the Marquis de Chastellux, Clinton "governs with the utmost vigor and firmness, and is inexorable to the Tories, who he makes tremble, though they

⁷ A. C. Flick, *Loyalism in New York* (New York, 1901) is the standard treatise on the subject. See also article on "George Clinton," *Olde Ulster*, IV, 226.

⁸ Flick, ed., *History of the State of New York*, III, 348-50; *Public Papers*, I, 253, 360.

⁹ [Flick], *The American Revolution in New York*, Chapter IX; Flick, *Loyalism in New York*.

are extremely numerous in the State of New York."¹⁰ However rigorous his measures, they seem to have been approved by the great majority of New Yorkers north and west of the Westchester line and they served to enhance his popularity. Futhermore, his measures and those of his legislature were effective. In 1782 Hamilton told Morris that although half the population of the state had been loyal to the Crown when the war broke out, the government's energetic handling of the Tory problem had reduced the fraction to one-third.¹¹ Only the southern counties had any considerable number of Tories at the end of the war.

Yet in spite of some tar and feathers, rides on sharpened rails for "non-associators," duckings in convenient ponds, and smashing of windows by over patriotic mobs, there were on the whole surprisingly few excesses in the treatment of New York Tories throughout the war. "Americanus" complained in the *New-York Packet* of October 20, 1785, that New Jerseyites had cut off the ear of a Tory and he added, "I thank God, no such thing has happened in this state; the first step of that nature being stopped by the spirited and praiseworthy interposition of the Governor, who in person, secured the ring leaders, and brought them to justice." "Americanus" was probably referring especially to an incident in New York City soon after its evacuation by the British when Governor Clinton intervened in person to save two British officers from tarring and feathering by the mob.¹² Indeed, Clinton was usually ready to intervene on behalf of abused or unfortunate individual Loyalists. The notorious Tory, Cadwallader Colden, 2nd, wrote the Governor in 1778: "I think myself under an obligation to give you many thanks (as I now do) for the regard which my wife tells me you paid to her complaints of some insults and abuse she met with from some of the low class of officers."¹³ The governor allowed Peter Van Schaack to go to England on parole in 1778 to have an operation performed on his eyes.¹⁴ And in the years following

¹⁰ Jones, *History of New York*, II, 329-30.

¹¹ Hamilton, *Works*, Lodge, ed., VIII, 69.

¹² *New-York Gazette*, June 25, 1784; Stokes, *Iconography*, V, 1159, 1167; Street, *Council of Revision*, 106-07.

¹³ Joseph Bragdon, "Cadwallader Colden, 2nd," *New York History*, October 1933, 420.

¹⁴ Clinton to Jay, November 8, 1784. Copy obtained by Dr. Frank Monaghan.

the war the governor seems to have made little or no effort to enforce some of the most drastic of the anti-Tory enactments which would have sent many of them into exile.¹⁵

The treatment of the Tories remained a burning issue in state politics for four or five years after the peace. When John Jay wrote to Clinton from Spain that the passage of the Confiscation Act of 1779 disgraced New York "by injustice too palpable to admit even of palliation,"¹⁶ he was representative of a considerable body of moderates who were to press more and more for leniency towards the Tories. Hamilton, who had always had sympathy for the Loyalists and some for their cause, was to become the leader of the moderate group and men like Schuyler, Duane, Hobart, and Robert R. Livingston were to join him in opposing the Tory-baiting policies of George Clinton and his radical Whigs.

So important was this division of opinion that it has often been called the beginning of political parties in New York.¹⁷ It was Hamilton's contention that all of the laws complained of as being unduly abusive of the Loyalists were promoted by the political adherents of George Clinton, and that those favoring their moderation were politically opposed to Clinton. Certainly it is a fact that Whiggish counties like Orange, Ulster, Dutchess, Montgomery, and Washington, which were generally to support Governor Clinton and his policies during the years after the war, were usually anti-Tory; while New York, Albany, Richmond, Kings, and Queens Counties, which were later to be politically hostile to Clinton, were most friendly toward the Loyalists.¹⁸ The pre-war alignment of liberal Whigs against conservative supporters of the royal governors and the British ministries was being supplanted by a new but very similar alignment of liberal Whigs against conservative Whigs and their partially disfranchised allies, the recent Tories. The Tory issue was to play an important rôle in disrupting the friendship between Clinton and Hamilton so auspiciously begun at Mrs. Falls' house in 1777.

¹⁵ Dixon Ryan Fox, *Decline of Aristocracy in the Politics of New York* (New York, 1918), 12-13.

¹⁶ William Jay, *The Life of John Jay* (2 vols., New York, 1833), I, 111.

¹⁷ Nevins, *The American States*, 268.

¹⁸ E. Wilder Spaulding, *New York in the Critical Period* (New York, 1932), 126-128.

The civil business of state went on during the last years of the war despite the general indifference of New York's wartime statesmen. That it went on at all was due in large part to the amazing energy of the young war governor. When Secretary of State John Morin Scott explained that lingering attacks of rheumatism had kept him from his duties,¹⁹ the skeptical governor suspected that it was laziness, not illness, that had held up the issuance of important commissions. And the legislature was always days late in responding to the governor's call. On January 20, 1779, the governor, who could speak and write his mind, wrote to his friend, John Lamb, that: "Our Legislature were to have met at this place on the 8th instant, but a sufficient number of members have not yet appeared, to proceed on business; when these will, God only knows. So little attention is paid to the public weal, by the guardians of the rights of the people, as to discourage me, more than I can well express."²⁰ It was January 28 instead of January 8 when a quorum was ready to hear the governor's message. Furthermore, it was as difficult to hold a quorum as to assemble it. Because of the absence of a number of members who left suddenly to join their militia regiments, the session ended on March 16 with its work unfinished. It met again for two months in the late summer—this time at Kingston, for the legislators had developed an aversion to Poughkeepsie.²¹ The next session was to commence on January 4, 1780, at Albany; but there was a heavy snow and the governor could not welcome his legislators until January 27. The spring session, which was called to meet at Kingston on May 9 could not report a quorum until May 26. This remarkable inability to gather promptly characterized the legislators of New York even during the years after the war. Their sessions during the seventeen-eighties assembled on an average over ten days late.

In spite of its short-comings the legislature turned out a great deal of legislation of vast importance. It ratified with considerable promptness the Articles of Confederation which, according to a great historian of the Revolution, "proposed the strongest confederation that the world

¹⁹ *Public Papers*, III, 313.

²⁰ Leake, *John Lamb*, 216.

²¹ *Public Papers*, III, 313.

had ever known, and its daring astounded the men of the time."²² The Congress submitted the articles to the states on November 17, 1777; Governor Clinton sent them to his legislature on January 16 and a month later they had been approved by both governor and legislature. It was over three years before Maryland, the last state, was to ratify.

The legislature and the governor also had to grapple with what was the most vexatious wartime problem of all, that of finance. On this subject Clinton had very definite views—views that were to change in some respects after the wartime crisis had passed. He wanted a sound system of currency supported by heavy taxation. He realized that his state was, generally speaking, entirely capable of seeing the war through to a victorious conclusion provided only that it did not collapse financially. In discussing the impoverishment of the country with Jay in 1781 the governor wrote optimistically that "Our resources as a Nation are, however, yet great; we abound in Provision and the Prices in Specie are nearly the same as at the Commencement of the War." He added, however, that "The Situation of our Finances is perhaps the only Thing in human probability that can distress me."²³ Clinton was indignant when men refused to take state or Continental paper money at par as when Mr. McCurdy of his own county offered to sell a horse for £32 in Continental currency or £26 in hard cash, and he advocated punishment for such "criminal practices."²⁴ But he fully realized that the real solution was adequate taxation that would maintain the credit of both state and nation and of their all too abundant currencies.

The first fruit of his drive for adequate taxation was the act of March 28, 1778, providing for a small levy on the value of both real and personal property. For the first time the legislature had admitted that the war could not be won on printing presses alone.²⁵ Prices, however, continued to rise at staggering rates and the wartime issues of state and Continental paper money to fall to amazing lows. Clinton told the legislature in October 1778 that price-fixing was only a tem-

²² Claude H. Van Tyne, *The American Revolution* (New York, 1905), 185.

²³ *Public Papers*, VI, 747-48.

²⁴ In February, 1777. *Public Papers*, I, 630.

²⁵ *History of the State of New York*, IV, 122-23.

porary expedient; it was essential to reduce the quantity of money through taxation. In 1779—a year when Livingston was paying £537 for "a plain suit of cloaths" and £21 for plain buttons for a servant—the governor was urging additional taxes to rescue the state's credit. The legislature responded and on March 2 raised the rates on real and personal property drastically, but there was much tax-dodging and in the fall the entire system of direct taxation was changed. During the remainder of the war period the legislature simply determined the total sums it expected to raise and apportioned them among the counties—a system that was quite generally denounced but which was perhaps the only practicable one at the time.²⁶

There were other sources of revenue such as the sums advanced by the Continental Congress, the £260,000 that the sale of Tory personal property in the seven upstate counties brought to the state, the much larger amount that the state garnered from the sale of Tory real estate²⁷ and the new tariff laws which of course yielded very little while the British occupied New York City. Compared with the systems of revenue in effect in many of the other states, New York's system was tolerably adequate. Yet there were times when the treasury ran dry, as when in the spring of 1781 the distressed legislature admitted to Washington that "the treasury is entirely destitute of money; nor is there the least prospect that any will come in until a new State currency which we have directed to be issued can be prepared for emission . . ."²⁸

George Clinton seems to have been ready to pledge his personal credit and his own savings in the risky business of winning a revolution. As early as 1776 he expended over £1000 on flour for the troops at Kingsbridge. He advanced nearly £2800 in specie from his own pocket to satisfy the needs of American prisoners behind the British lines on Long Island and from time to time he advanced his own funds or pledged his own credit to purchase supplies for troops in the field or even for the expenses of the civil government. For most, if not all, of these advances he received compensation even before the

²⁶ *Ibid.*, 123-25; *Olde Ulster*, V, 69, 175; *Public Papers*, IV, 157, 820-21; VII, 366.

²⁷ [Flick], *The American Revolution in New York*, 221, states that the state realized over \$3,000,000 from forfeited lands.

²⁸ *Public Papers*, VI, 729.

end of the war. He stated, however, in appealing to the Congress for compensation: "I have for these several years past by an Attention to the public utterly neglected my own private Business"; and if the sale of his farm at New Windsor was not primarily to recoup his fortune, the specie that it brought was most welcome.²⁹

The story has often been told of how Governor Clinton obtained specie from Long Island for the campaigns of the revolution and for American prisoners within the British lines. It seems that Washington's spies had reported that many patriots on the island had hard money in plenty which they were willing to turn over to the state or federal authorities. Washington asked Clinton to do what he could to obtain this specie. The governor called in a number of agents, probably including Major Brush, Major Hendrick Wyckoff, and John Sands, and furnished them with notes signed and executed by himself pledging the credit of state, paying six per cent, and payable after the peace. Sir Henry Clinton was told early in 1781 that a number of Long Islanders who expected an American victory were paying for these notes in specie which found its way to the American governor. It is said that George Clinton, unlike the financiers of most wars, received no commission.³⁰

However successful the state's fiscal program may have been, there was often too little money available to keep two delegates—the minimum number—in attendance on the Continental Congress. The business of attending was evidently a burden that was by common consent rotated among the several reluctant delegates. Governor Clinton wrote often, both officially and unofficially, to the New York delegates, severally and collectively, exchanging news, newspapers, and recent enactments of the Congress or the state legislature; and year after year this correspondence was strewn with appeals from the delegates for funds and with appeals from the governor to the delegates to remain

²⁹ *Ibid.*, IV, 40, 251; VII, 501, 535, 540; Clinton to Gerard Bancker, July 9, 1780[?], MS in Wisconsin Historical Society; E. C. Knight, compiler, *New York in the Revolution* (Albany, 1901), 162-63; Lincoln, *Messages from the Governors*, II, 161; Clinton to Stephen Lush, December 8, 1782, MS in New York State Library.

³⁰ According to *Olde Ulster*, X, 146-48, this story is told in the *Ulster Plebeian*, September 25, 1819, and the *New York Columbian* of the same month, and is confirmed by vouchers in the Comptroller's office. See also E. C. Knight, *op. cit.*, 168 and *Magazine of American History*, 1883, pp. 414-15.

at their posts.³¹ Occasionally the president of Congress would take a part in the correspondence to point out "the deficiency of a Representation from your State." Or Hamilton would enquire of the governor why the states kept their best men at home. "You have a Duane, a Morris, and, may I not add, a Duer? But why do you not send your Jay and your R. R. Livingston . . ." or General Schuyler? When, however, Clinton urged Schuyler to go to the Congress a few weeks later, that gentleman sent his regrets as "Mrs. Schuyler expects to lay in about the first week in May, . . ." ³² General Scott seems to have been a particularly unfortunate delegate for he was habitually appealing for funds and at one time, in the fall of 1780, it was reported that he was out of funds, had been ill for a month, "and is really in a bad way having lost his Appetite. . . ." ³³

Not only were there constant appeals from New York delegates who could not pay for their lodgings at Philadelphia, but there were more serious appeals from the Congress itself, from Robert Morris who was its superintendent of finance, and from Washington, for men and money. Governor Clinton seems always to have done his best to comply with Washington's requisitions. Certainly Washington was able to write Clinton in June 1780, that "New York is among the few that has felt the necessity of energy and considering its situation has done everything that could be expected of it." ³⁴ But the governor was not always entirely responsive to the innumerable demands from the Congress itself and its committees, and while he might do what he could to comply, he did not hesitate to argue the point with the Congress. When Congressional demands became too pressing, Clinton defended his state's position without equivocation. For instance, he wrote on July 8, 1780, to Samuel Huntington, the president of the Congress, that the New York legislature had fully intended to comply punctually with the congressional requisitions; but, he added diplomatically: "it is not to be numbered amongst the least of our misfortunes that we were unable to fulfil these Intentions, but were obliged by

³¹ Burnett, *Letters . . . Continental Congress, passim.*

³² *Ibid.*, III, 35, 142; Hamilton, *Works*, Lodge, ed., VII, 539; *Public Papers*, III, 77,

177.

³³ Duane to Clinton, October 6, 1780, copy in Library of Congress.

³⁴ *Writings of Washington*, XIX, 84.

subsequent appropriations to apply the monies to different purposes. Hence I suppose our arrears are considerable. How far tho', we are to be considered as Defaulters, we submit to the Justice and Generosity of Congress." He then proceeded to plead eloquently the distressed condition of the state:

The Enemy in the entire Possession of our Capital and four Counties; our Southern, western & northern Frontiers exposed and ravaged, our Subjects on the Grants in a State of Revolt, the Staple of the Country restricted from Exportation and limited in Price, for near three years past, solely with a view to retain it for the army, all purchases & impresses for the Continent within the State for many months past upon Credit and still unpaid, the Expence of our civil administration when we are thus reduced to the mere Epitome of a State, equal as if we were in the full possession of our whole Territory, in short if our peculiar Situation, the Difficulties we have had, and still have to contend with, our former Exertions and present Efforts (when we shall call into the Field for three months at least one fourth Part of our enrolled militia) are considered, I trust we shall stand acquitted and that none of the public Embarrassments will be imputed to us.⁸⁵

Unfortunately it was only too easy to show the "peculiar situation" of New York which had had to bear so many of the direct burdens of the war. "We should be justified in not furnishing any supplies of any kind," the governor told the New York delegates to Congress in 1781, "as we have heretofore made advances ruinous to the state and greatly distressing to individuals, and much beyond our quota."⁸⁶ He restated New York's position late in 1781 in a long letter to John Hanson, then president of the Congress. "This State I flatter myself has for its Spirit & Exertions in the War stood equal in point of Reputation with any other in the Union, and notwithstanding our Misfortunes & Injuries, and notwithstanding our Legislature is, with respect to the Individuals who compose it, fluctuating, I am confident the People at large and their Representatives in Gov't. still retain the same Spirit & are equally disposed to every possible Effort in the common Cause. I mention this, lest it be supposed that we were sinking under our Distresses . . ."⁸⁷

⁸⁵ *Public Papers*, V, 939-40.

⁸⁶ Letter of March 28, 1781, in Duane Papers, quoted from in Thomas C. Cochran, *New York in the Confederation* (Philadelphia, 1932), 49.

⁸⁷ *Public Papers*, VII, 520-21.

In these letters of the governor there was evident a growing impatience with the Congress—an impatience that both Clinton and Hamilton had expressed in their correspondence in 1778. In the letter of 1781 to John Hanson the governor gave it as his personal opinion that "the Defects in the Powers of Congress are the chief Source of present Embarrassm'ts, and as a Friend to the Independence & True Interests & Happiness of America," he expressed the earnest desire that these defects might be remedied. Indeed, he said, New York had already indicated its willingness to give the Congress more adequate powers by promptly agreeing to the proposal for granting Congress a duty on imports.

New York was later to block the plan for fortifying Congress with this power to collect a five per cent tariff on imports for federal use, thus producing an impasse that was broken only by the adoption of the federal Constitution of 1787. But in 1781 New York considered herself co-author of the plan and her legislature was prompt to adopt it. Indeed, George Clinton himself had more to do with this early movement for the enlargement of the powers of the Congress than has been generally recognized. Hamilton, to be sure, did propose increased powers in his famous letter of September 3, 1780, to Duane, and Schuyler championed the cause of the Congress in the legislature in late September and October of that year. But Governor Clinton made an effective, and for him eloquent appeal for increased congressional powers when he addressed the legislature at Poughkeepsie on September 7, only a few weeks after a convention of three states at Boston had proposed a stronger Congress. Clinton told his legislature that "our embarrassments in the prosecution of the war are chiefly to be attributed to a defect in power in those who ought to exercise supreme discretion, for while Congress only recommend and the different States deliberate upon the propriety of the recommendation, we cannot expect a union of force or counsel. From this conviction," he went on, "I take the liberty of submitting to you whether further means ought not to be devised for accelerating the proposed confederation, and thereby vesting Congress with such authority as that in all matters which relate to the war, their requisitions may be peremptory."⁸⁸

⁸⁸ Lincoln, *Messages from the Governors*, II, 105-07.

In view of George Clinton's later opposition to the extension of federal powers, these statements of his in 1780 are most interesting.

The legislature acted upon the governor's suggestions. It agreed to send delegates to a convention to be held in November at Hartford—the purpose of which was also the propping up of the federal Congress—and it instructed the New York delegates at Hartford, as well as those in Congress, to urge that body to assume more adequate powers for the strenuous prosecution of the war. The most amazing of the resolutions was that proposing that the commander-in-chief march his army into any state delinquent in furnishing men, money, or supplies, “and by a Military Force, compel it to furnish its deficiency.”³⁹ This vigorous proposal, which might have revolutionized our federal system even before the Articles of Confederation went into effect, was adopted at Hartford. But Duane and Scott thought it far too advanced to broach to Congress,⁴⁰ and Governor Clinton may have agreed with them. The outcome of this agitation for increased congressional powers was the proposal of 1781 to give Congress a five per cent impost. Although New York promptly agreed, Rhode Island objected; and when Congress again asked for the impost grant, in 1783, New York and its governor had concluded that the impost was too rare a jewel to be entrusted to the ne'er-do-well Congress and the grant was refused. While the war lasted, however, Clinton was as persistent as any in urging increased federal powers.

It was with some reluctance, nevertheless, that the governor consented to the cession of New York's western lands to the federal government. Jay wrote Clinton in October 1779, that in his opinion the territory west of Niagara was too extensive to govern and Livingston suggested to him only a few weeks later that it would be prudent to forestall any decision to appropriate the western lands by ceding all New York's claims west of the northwest corner of Pennsylvania.⁴¹ New York's title to this western country was shadowy enough,⁴² yet Clinton was clearly loath to give it up. He replied to Livingston in

³⁹ *Ibid.*, 107, note; Burnett, *Letters . . . Continental Congress*, V, 445.

⁴⁰ *Ibid.*, V, 445; VI, v.

⁴¹ *Public Papers*, V, 314, 382.

⁴² *The Territorial Papers of the United States*, C. E. Carter, ed., II (Washington, 1934), 5.

January that “it may be to our Interest to give up a Part of our Western Lands, if by this we shall be able to Injoy the Remainder free from every Claim,” and he admitted that the boundary described by Livingston would give New York all it could properly administer. The act of February 19, 1780, made New York the first state to cede its western claims. Other states followed and Maryland, which had refused membership in the Confederation while her neighbors claimed great areas in the west, ratified the Articles. New York had made a real contribution towards the building of the confederation and once again Clinton might well be proud of his state's record.

The war governor's first winter in his new office was the winter of Valley Forge and Washington's eloquent appeals for supplies for his hungry, ragged troops must have convinced Clinton that it is often easier to direct troop movements in the field than to feed and clothe armies. Desperate, Washington wrote his Excellency in February regarding “the present dreadful situation of the army for want of provisions.”⁴³

The governor acted at once. Within a few days a hundred head of cattle and one hundred and fifty barrels of salt pork were on their way to Valley Forge in wagons impressed for the purpose under the governor's own authority.⁴⁴ And it is interesting to note that the governor wrote Washington on March fifth that he would make every effort to obtain more supplies although he had only a day earlier told Horatio Gates, president of the board of war, that “no beef or pork can be procured in this state.”⁴⁵ It depended on who made the request. The several hundred additional barrels of pork that were sent to Washington a few days later were undoubtedly a major factor in enabling the Continental Army to survive the winter.⁴⁶

The procurement of supplies remained Governor Clinton's most troublesome task through the entire period of the war. If the new democracy could not feed and clothe its armies, it would not survive and its champions might end their promising careers in the Tower of London. This Clinton fully understood. Yet production of most

⁴³ Letter of February 16, Washington, *Writings*, X, 469-70.

⁴⁴ *Public Papers*, II, 799, 818, 823, 866.

⁴⁵ *Ibid.*, 842, 866.

⁴⁶ *Ibid.*, III, 5.

of the essentials—grain, meat, clothing, shoes, and munitions—was sadly reduced by the lack of man power, by the loss of the southern counties occupied by the enemy, and by the state's too frequently empty treasury. Furthermore, the farmers were by no means eager to sell provisions for state or Continental paper notes that were constantly depreciating in value. They waited for higher prices or sold to New England where food shortages were also chronic and prices were also high. Other produce sifted through the lines and found its way into Westchester and Long Island from which it soon reached the enemy in New York City. The governor believed that provisions illegally exported to New England later helped the British in New York City to survive the winter of 1778.⁴⁷ Then there were the "engrossers" of foodstuffs who bought up supplies and held them for higher prices. This kind of profiteering was sometimes penalized but not always. The Livingstons, for instance, were accused of selling iron to the state at prices that were more than double those paid by private persons and they were also accused of refusing to sell it to the state when New Englanders would offer more. Nevertheless, Governor Clinton diplomatically declined to seize their iron or adopt coercive measures, contenting himself with asking Walter Livingston to approach his father, Colonel Robert, on the delicate subject.⁴⁸

It was the war governor's task to prevent the leakage of supplies from the state. An act of March 14, 1778, renewed the embargo on the exportation of grain and flour that had first been established by the Committee of Safety in 1776. This act the governor heartily approved and endeavored to enforce in spite of fervid appeals from New England for wheat and flour. The suspicious governor guessed that New England requests in 1778 for grain for the French fleet were mere pretexts, and he insisted that the New York troops should be supplied before those of Massachusetts, Rhode Island, or Connecticut. Exportation of flour and grain forced up the New York prices and in spite of the legislature's attempt at price-fixing in 1778, prices rose so sharply that it was sometimes necessary to pay for supplies twice as much as

⁴⁷ Jones, *New York in the Revolution*, I, 267-70; *Public Papers*, II, 868.

⁴⁸ *Public Papers*, II, 654-60, 713-14; Corning, *Washington at Temple Hill*, 11-12; Flick, ed., *History of the State of New York*, IV, 137. The Livingstons received £45 a ton from the state although they sold to others for £17 to £20. Corning, *op. cit.*, 12.

Congress had authorized in order to fill the state's quota.⁴⁹ In June 1779 the price of rum reached thirty dollars a gallon although it was "so weak that half a pint of it makes but a Pint of what they stile Grogg."⁵⁰ Price-fixing was abandoned in 1780. Meanwhile the legislature had turned to confiscation, authorizing the seizure of a quarter of the wheat raised by the reluctant farmers, and the unpopular task of appointing officers to make the seizures fell to the governor. He did not at all relish it. "Where will extortion End?" he demanded of one of his officers. "What have we not to dread from it? More I am perswaded than from the arms of our Common Enemy."⁵¹

The winter of 1780 was the worst period of the war for the procurers of supplies. There had been drought in the fall of 1779; the winter was a heavy one; there was little or no water to turn the mill wheels; and prices were higher than ever. While the governor was convening his commissaries at Poughkeepsie in December the troops in the Highlands were virtually without food. It was in 1780 that the legislature created the office of purchasing agent for the state of New York with an annual salary of £800, an office that was occupied for three years by the Clintons' good friend, Udney Hay. The creation of this office was an attempt to coördinate the state's purchasing which had previously been done by a number of free-lance commissioners, some of them appointed by the governor. Udney Hay was a capable Scot who had arrived at New York as recently as 1776 and had served valiantly as assistant deputy quarter-master general for the Continental Army. He came to Poughkeepsie in 1780, bought a house on Main Street not far from the Crannell house where the Clintons stayed, and was to sell his place and leave for Vermont at a time when a man of his Anti-federalist views might have been of considerable value to the governor.⁵² During the last months of the war the governor leaned heavily on Udney Hay when supplies were in demand.

There were innumerable other aspects to the problem of supplies.

⁴⁹ *Public Papers*, IV, 92, 496, 732; VI, 240-41, 397; *History of the State of New York*, IV, 119-20.

⁵⁰ B. F. Stevens, *Facsimiles*, Box I, Number 123.

⁵¹ *Public Papers*, III, 681; IV, 639, 691.

⁵² *History of the State of New York*, IV, 141-42. For Hay, see H. W. Reynolds' article in *Dutchess County Historical Society, Year Book 1925*, 49-58.

There was, for instance, the decision to accept wheat and rye for taxes in the place of paper and currency. There was the draining of cattle from Westchester into the enemy lines until the legislature in 1780, at Clinton's request, empowered the governor to prohibit the driving of cattle south of any line he might assign. There was the adoption of the policy of offering bounties to encourage the establishment of new powder mills, the board of war's success in getting Clinton to have certain abandoned and almost useless lead mines reopened, and the designation in 1777, probably by Clinton and McDougall, of Fishkill as the central depot for munitions and supplies.⁵³ The governor's indefatigable pen was busy at Poughkeepsie sending out instructions to subordinates and counsel to superiors on these and a multitude of similar subjects in such quantity that the letters for 1777 to 1782 now fill nearly eight ponderous volumes of the printed *Public Papers of George Clinton*.

It would be easy to defend the proposition that the Revolution was won in the wheat fields, cowpens, and pigsties, and at the looms, mills, and forges of America. It would be scarcely less easy to show that the sturdy men who held the frontiers against Tory raiders and hostile Indians made the winning of the war possible. Certainly Governor Clinton realized that unprotected frontiers meant not only burned villages and lost lives but also lost crops and demoralized populations. During the last five years of the war the governor was more concerned with the always threatening problems of defending New York's endless frontiers than with any other single task. Most of the time he was at Poughkeepsie directing operations from the comparative tranquillity of the Crannell house; but occasionally, when the situation was threatening and when his rheumatism did not prevent, he hurried in person to the area of operations. It was, to be sure, still vital to hold the lower Hudson Valley and keep the British confined close to New York City. West Point was the most important fortified position in the entire state. But aside from Anthony Wayne's heroic seizure of Stony Point in July 1779 and Arnold's amazing treason somewhat over a year

⁵³ Lincoln, *Messages from the Governors*, II, 89-90; *Journal of the Assembly*, March 7, 1782; Washington, *Writings*, VIII, 4; *History of the State of New York*, IV, 136-138. The legislature authorized the governor Jan. 7, 1778, to draw £5000 to work lead mines at Continental expense. M. C. Weaks, *Proclamations of General George Clinton*, 7.

later, most of the spectacular developments of the last years of the war were on the frontiers.

If so many of the warriors of the Six Nations had not remained faithful to the king, the defense of the frontiers would have been far easier. That the Indians were pro-British was largely the work of the Johnson family and especially of that very influential member of the family, Joseph Brant. Brant, who was years later to strike up an interesting friendship with George Clinton, was a Mohawk chief and the brother of the sprightly and talented Molly Brant who was for many years the common-law wife of Sir William Johnson. Brant had attended Dr. Eleazar Wheelock's Indian school at Lebanon and he had married the half-Indian daughter of the Tory Indian agent, George Croghan. Secretary to Sir Guy Johnson after Sir William's death in 1774, Brant was naturally enough ready to side with the Johnsons against the colonies. Colonial agents met with the chiefs of the Six Iroquois Nations at Albany in 1775 in a vain attempt to keep them at least neutral; but although the Oneidas and the Tuscaroras remained more or less friendly, the Senecas, Mohawks, Cayugas, and Onondagas were often on the war path and Brant soon became the *bête noire* of northwestern New York.⁵⁴ He attacked the Unadilla settlements in 1777 and it was known that he planned more raids early the next year.

At the request of Congress, Governor Clinton appointed a New York commissioner, James Duane, to join with two Congressional commissioners in holding a treaty with the Six Nations in February and March 1778. But even Lafayette's persuasiveness failed and the commissioners extracted promises of friendship only from the already friendly Oneidas and Tuscaroras.⁵⁵ Nothing could ward off the approaching storm. By May there was a reign of terror on the borders of western New York. Crops and stock were stolen or destroyed, houses and barns burned to the ground, settlers murdered or taken prisoner. Schoharie was threatened, Cobleskill was destroyed with a loss of nineteen lives, and Albany was in a panic. The governor from

⁵⁴ Ruth L. Higgins, *Expansion in New York* (Columbus, Ohio, 1931), 97-98; *History of the State of New York*, IV, 294, 324. Brant's Indian name was Thayendanagea.

⁵⁵ Copy of letter from Duane to Clinton, March 13, 1778, in Library of Congress; William L. Stone, *Joseph Brant* (2 vols., New York, 1838), I, 304-06.

Poughkeepsie urged Generals Ten Broeck, Gates, and Stark to send troops into the Schoharie region and he ordered Colonel Cantine's regiment north from West Point. Not only Tryon and Albany Counties, but Ulster and Orange as well, were appealing to him for help.⁵⁶ He proposed an attack upon the enemy rendezvous at Unadilla; and after consultation with Generals Ten Broeck and Stark agreed to the former's suggestion that it should be led by that gallant soldier and hero of Fort Schuyler, Colonel Marinus Willett;⁵⁷ but Willett was not available and the expedition was put off.

Springfield was burned in June and there were massacres in the Wyoming Valley in July. When Washington returned to New York in mid-July, Governor Clinton at once waited on him to appeal for troops to use on the frontiers. At about the same time the Continental Congress advanced a hundred thousand dollars for New York's use—too modest an amount, the New York delegates believed—but the sizeable expedition into the Indian country that Congress had authorized in June was soon given up. Gates as usual was indifferent; and even Stark, deciding late in July that an Indian expedition was impossible at the time, delayed Lieutenant Colonel William Butler, whom Clinton had sent to Albany, with Washington's permission, to begin an offensive against the Indians. General Stark finally allowed Butler to proceed to Schoharie but, much to the impatient governor's disgust, the general continued his opposition to plans for a determined offensive against the Tories and their Indian allies.⁵⁸ In short, very little was being accomplished in spite of Clinton's appeals. He felt that Congress and its generals were indifferent to the fate of western New York.

Then, in September, German Flats was devastated for miles along the Mohawk and early in November a force of seven hundred Tories and Indians led by Captain Walter Butler and Joseph Brant laid waste the settlements at Cherry Valley. This was one of the most notorious raids of the war and it convinced even the far-away Congress that something vigorous must be done in 1779. The war must be carried into the enemy's territory, the governor wrote Jay.

Months of preparation followed. On November 4 the state legisla-

⁵⁶ *History of the State of New York*, IV, 187; *Public Papers*, III, 377, 388, 391, 403, 424, 467.

⁵⁷ Clinton to Schuyler, July 3, 1778, Clinton Papers, Library of Congress.

⁵⁸ *Public Papers*, IV, 13, 54.

ture gave the governor £20,000 for the payment and subsistence of the militia⁵⁹ who had been unreliable and even mutinous during the fall campaigns. The uncoöperative Stark was replaced in the command at Albany by General Hand. Washington himself began a systematic campaign of preparatory fact-finding; Congress authorized the proposed expedition on February 26; and a few days later Washington gave command to the young and energetic General Sullivan.⁶⁰ Gates had most ungraciously refused it—fortunately for the state of New York. As Sullivan's second in command Washington appropriately enough chose a New Yorker who knew the Indian country well—General James Clinton.

Meanwhile Governor Clinton continued to bombard Washington with appeals for action. He suggested giving Willett command of a regiment of state troops and assigning him to raid the Indian country provided Washington would supply a force of Continentals to cooperate with the expedition. In reply on March 4 the commander-in-chief confided to Clinton that measures for a major campaign against the Tories and Indians had been under way for some weeks, and he asked the governor what troops the state of New York could furnish.⁶¹ A few days later he was representing to the governor the need of General McDougall for support from the local militia in the region of the Highlands and the need of more militia to hold the western borders until Sullivan could get under way. Clinton did what he could to comply, authorizing McDougall to call out the Westchester and part of the Orange militia, promising for Continental service half of the force of a thousand men that the legislature had just empowered him to raise for frontier service, and ordering General Ten Broeck to confer with Schuyler and James Clinton at Albany on the defense of the western frontier. Washington was appreciative. "The readiness, with which you comply with all my requests in prosecution of the public service, has a claim to my warmest acknowledgments," he assured the governor early in May. Washington's confidence in Clinton was as great as ever.⁶²

⁵⁹ *Messages from the Governors*, II, 53, note.

⁶⁰ *History of the State of New York*, IV, 190.

⁶¹ *Public Papers*, IV, 612, 615-16. Willett refused the command that Clinton offered him. *Ibid.*, 656.

⁶² *Ibid.*, 796; Burnett, *Letters . . . Continental Congress*, IV, 75.

There was one more nerve-wracking interlude before the Sullivan expedition could get under way. At the very end of May some forty sail of enemy shipping under Sir Henry Clinton himself left Manhattan and started up the Hudson to Kings Ferry. General McDougall appealed to Clinton for advice, troops, and teams to move his supplies. Colonel Udney Hay wrote frantically from Fishkill, "We want animation. I wish to God you were here." The governor issued the usual orders to the militia and hurried down from Poughkeepsie to Fishkill where he informed McDougall that he meant to act under him in the character of a brigadier general in Continental service "unless an Officer superior to you in Command should arrive in which case I cannot. The Militia would not submit to it. You understand without Explanation what I mean."⁶³ The militia behaved excellently and the governor had a considerable force at his command at Camp Highlands when he wrote the president of Congress on June 7. The Americans had, however, promptly withdrawn from the unfinished works at Stony Point and the garrison at Verplanck's Point surrendered rather ingloriously. The British now controlled the Hudson up to the posts in the Highlands. Yet only six weeks later Wayne was to recapture Stony Point.

"Your march to the Highlands has given occasion to many handsome things being said & written of you here," John Jay wrote Governor Clinton from Philadelphia early in August.⁶⁴ Indeed, his presence in the Highlands had had such salutary effects that Washington persuaded him to take no part in the Sullivan-Clinton expedition, insisting that in case of another crisis on the Hudson the Governor's presence might be essential. In spite of his chronic rheumatism Clinton probably regretted the necessity for this decision. He was under no delusions on the score of his ability to direct armies in the field of operations. In the summer of 1779 he had planned to give himself a distinctly minor rôle in the campaign. His plan was to march a force of five hundred men from Warwarsing on the frontier west of Kingston, to create a diversion in the Delaware country by scouring the Tory and Indian settlements there, and to join at Onoquaga with

⁶³ *Public Papers*, V, 6.

⁶⁴ *Ibid.*, 199.

James Clinton's army as the latter pushed south from Canajoharie on the Mohawk down the long Susquehanna Valley to Tioga to unite with Sullivan.⁶⁵ Sullivan's main force was to come up to Tioga from Easton, Pennsylvania. But Washington feared that the governor's great influence with the militia might be needed in the Hudson Valley in case of another British advance and Colonel Pawling was chosen to take his place.⁶⁶

The Sullivan-Clinton campaign was successful in almost every respect. It was, to be sure, delayed some weeks in starting—a circumstance of which Brant took advantage by destroying Minisink in July while Clinton fumed over Sullivan's "unaccountable delay" at Wyoming.⁶⁷ James Clinton's army of 1500 men floated down the Susquehanna with the assistance of an artificial flood created by damming the waters of Otsego Lake, burned a number of Indian towns and arrived safely and promptly at Tioga to join Sullivan on August 22. General James found time to write his brother several newsy, enthusiastic letters during the course of the expedition—letters that are among the historian's best sources for the events of those weeks. Together Sullivan and Clinton pushed into the Indian country, fighting a little battle at Newtown and burning dozens of Indian villages, in the country of the Senecas, Onondagas, and Cayugas, by Seneca Lake and westward to Genesee Castle. They were back at Tioga on September 30. The Indians had been almost completely driven out of central and western New York, and the power of the Six Nations was never to recover from the blows dealt it during this campaign. For some months at least the frontiers of western New York were safe. A great granary of the British and Indians had been destroyed; and, by no means least important, extensive areas were cleared for American settlement at the end of the war. According to the State Historian of New York, "the Sullivan-Clinton campaign and the expedition under George Rogers Clark in the northwest were intended to stake out claims which would assure to the United States not only western New York and Pennsylvania, but likewise the rich terri-

⁶⁵ George to James Clinton, Poughkeepsie, June 12, 1779, Historical Society of Pennsylvania; same to same, Poughkeepsie, June 20, 1779, Huntington Library.

⁶⁶ *Ibid.*; Washington to Sullivan, June 21, 1779, *Magazine of History*, March 1907, 137.

⁶⁷ *Public Papers*, V, 162-66, 180.

tory south of the Great Lakes, farther westward."⁶⁸ It was an important step in the building of an empire.

Like the surrender of Burgoyne in 1777 and the French alliance in 1778, the Sullivan-Clinton expedition raised the morale of all New York patriots and strengthened the will to win. Indeed, in spite of the constant demands upon the state for men, money, and supplies, in spite of the loss of the southern counties, and in spite of the constant hammering of British irregulars and Indians upon the open border settlements, there had been remarkably little defeatist sentiment in New York even during the darkest weeks of the war. When Lord North's peace commissioners arrived in America in June 1778, to offer the Americans virtually everything that they had quarreled over with the British ministry since 1765, their proposals received almost no consideration whatsoever in New York State. Governor Clinton expressed the sentiments of his state when he declared that, "Lord North is two years late with his political manoeuvre."⁶⁹

⁶⁸ A. C. Flick in *History of the State of New York*, IV, Chapter 6.

⁶⁹ George Bancroft, *History of the United States* (10 vols., Boston, 1854-74), IX, 498.