

CHAPTER V.

A CHAPTER IN THE STORY OF LIBERTY.

WHEN the conference opened, August 19, Dr. Cadwallader took the place of Governor Clinton, who was down with fever. The two delegates from Massachusetts, Mr. Nelles and Colonel Wendell, were also present, but none from Connecticut appeared. Colden's speech was a bubble of rhetoric, fairly dazzling with the prismatic of a lively imagination. It rehearsed facts, fancies, and prophecies appropriate to the situation. The colossal but purely mythical preparations supposed to be made in Great Britain, in the reality of which the sailor-governor himself heartily believed, were duly set forth. Then the wrongs suffered by the Indians at the hands of the "perfidious" French were detailed, until the braves were stirred in eye and nostril, and the chiefs grunted out, "Yo-hay! yo-hay!" ("Do you hear! do you believe!"), and general applause in Indian fashion followed as the interpreter finished each sentence. The war spirit was further roused by flatteries which fell like oil on the flames, kindling the fiercest enthusiasm. After the usual promises of gifts and equipment, with assurance of reward and booty in the future, the orator wound up by narrating the murder of some

white men, their brothers, even since their arrival in Albany, and calling upon his hearers for immediate and permanent revenge.

Taking it all in all, this speech of Clinton and Colden's is a fair sample of the lies, false promises, and irresponsible assertions on which the red man has been fed, from the first coming of the whites, to the battle with the Sioux, near Pine Ridge Agency, in January, 1891. The proper peroration of the speech, according to Indian etiquette, was the casting down of a wampum war-belt with verbal assurances and in symbolic intent that the British would live and die with their brethren the Iroquois. When this was done, a war-whoop was raised that must have been heard in every cabin and iron-monogramed brick-house in the colony and manor.

On that very day, as was soon afterward learned, the French were at Fort Massachusetts,¹ which had been built by Col. Ephraim Williams. It stood in the meadows east of Williamstown, under the shadow of old Greylock, beyond the present town of North Adams. After two days' siege the brave garrison surrendered and were led away to Canada. The French

¹ I visited the site of Fort Massachusetts, March 12, 1891. Though long ago levelled by the plough, the spot has been marked by Prof. Arthur Latham Perry, of Williams College, who planted the handsome elm-tree which now flourishes there. The sword, watch, and many other interesting relics of Colonel Williams, moulded or rusted, from Fort Massachusetts, from the battle-grounds of Lake George, Bloody Pond, and other places famous in colonial warfare, are carefully preserved in the college cabinet. A monument with the names of the garrison should mark the site of Fort Massachusetts.

lost forty-seven men. The fort was afterward, in 1747, rebuilt, and was the scene of more than one attack by the enemy.

The council-fire was then raked up, so that the braves might have time to sleep, smoke, and deliberate for reply. When the council re-opened on the 24th, the governor was present, and the first orator at the rekindled fire was an Onondaga chief. After the usual efflorescence of forest rhetoric, he promised in the name of the Seven Nations — a small army of eight hundred braves from Detroit and the Lake country, the Missesagues, having temporarily joined the confederates for the common purpose — to dig up the hatchet against the French and their allies. They further agreed to roast alive any French priest who came among them. The next day was devoted to distributing the presents sent from the king and the governors of Virginia and Massachusetts; the new tribe, Missesagues, receiving one fourth. On the 26th the kettle was hung over the fire, and a great wardance held, in which, after unusual smearings of paint, the weird, wild, and guttural, but pathetic songs were sung. After a few private interviews with the chiefs, and further tickling of their palms with presents and their stomachs with fire-water, the council-fire was put out by separation and scattering. Part of the Valley Indians remained in Albany, in token of their loyalty to the English, while most of them returned to their castles to organize war-parties. Unfortunately an epidemic of the small-pox broke out at this time, all along the Valley, carrying off hundreds of the In-

dians, among whom were the two delegates from the Missesagues.

Other councils were held with lesser bodies of Indians ; and Johnson, despite the raging of the small-pox among the Valley Indians, endeavoured to keep the savages on the war-path toward Canada ; but little was accomplished during the summer. While the coming French fleet was destroyed by storm, Johnson increased his fortune by being appointed government contractor for Oswego, and his fame by being commissioned by Clinton as Colonel of militia. The only campaign in 1747 was one of paper and ink, Shirley and Clinton being the chief combatants. There were also raids and fights on the New England borders, but little took place that needs to be chronicled here. Clinton and De Lancey kept up their quarrels ; the former warning Johnson of his illustrious relative, venting his wrath on the Dutch legislators, and taking high-handed vengeance on Judge Daniel Horsmanden. This champion of the Assembly and people, and one of the ablest jurists in the province, was most obnoxious, politically, to the king's representatives. He was also personally offensive as being the co-worker with Chief-Justice De Lancey.

On the 12th of September Horsmanden was suspended from service as a member of the council. The fact was published in the journal ; but no reason was given for this, except that the governor announced that he would explain his action to the king. Horsmanden was also removed from his other positions, — as commissioner to meet the representatives

of the other colonies, and as judge and recorder of the city. This act of the governor's still further irritated the "stubborn Dutchmen," whose hostility now turned into a war to the knife. Even though savages were ravaging the suburbs of New York, it is doubtful whether they would have been turned from their determination to fight absolutism, in the person of Clinton. When the governor announced the return of Johnson from his fruitless search after the enemy at Crown Point, the temper of the Assembly was not improved. They were tired of having the praises of Johnson sounded in their ears. They still refused, in the face of Johnson's contract, while still in force, to furnish extra guards for the fulfilment of his stipulation in provisioning Oswego. They also adhered to their determination not to yield to the governor's demands, so long as he thwarted their purposes. In affirming their former resolutions, they, nevertheless, offered to indemnify Johnson if through accident he became a loser by fulfilling his contract.

Meanwhile, the governor held counsel with the New England commissioners, and despite the remonstrances of the members, bluffed off his little Parliament until October 5. The frontier was still exposed. It was hard to get volunteers for Oswego, largely owing to the abominable drunkenness of the officers there, and the lack of good discipline. Two companies from Colonel Schuyler's regiment were therefore drafted for the purpose. It being practically impossible to maintain the weak force at Saratoga, this post, which had been named Fort Clinton, was

burned by order, and the ordnance and stores removed to Albany. In this unpleasant state of affairs Colonel Johnson was summoned to New York, and on October 9 was examined by the committee of the Executive Council. He exposed the grave state of affairs, in that the Indians had been kept from hunting for a whole year, and were now destitute. Unless something were speedily done, he felt he must abandon Mount Johnson and his interests in the Mohawk Valley. He even imagined that his leaving would be the general signal for an exodus of all the white people from the Mohawk basin. He recommended the erection of forts both in the Seneca and the Oneida districts. He believed that these measures, with plenty of presents, and the ferreting out of the miscellaneous rumsellers who debauched the Indians, would make safe the northern frontier and save the colony.

Clinton's message to the Assembly, October 6, was presented with high praises of Johnson, a vindication of himself, and an exhortation to act promptly and liberally, as the Iroquois sachems were waiting with Johnson in the city to see what would be done in their behalf. The conquest of Crown Point was still in view; and men, money, and supplies were asked for. It was intimated that the Crown (the mother country) had already done its full part, and that the colonies should now do theirs.

Still the Assemblymen, who thought the Indians ought to have been allowed to go on their hunting, ought to have been kept friendly, but not stirred up to fight the French or be sent to Canada, and ought

to have stayed in New York to guard their own old men and squaws instead of having white men drafted to do it, distrusted the servant of the king and the tool of Colden, and doubted the fitness of the governor's appointees to office. They questioned the wisdom of the governor's general policy; and they intimated, with only too good reason, that the money so freely distributed for the Indians was not properly and publicly accounted for. They voted promptly all that was necessary for the expedition against Canada. They fully realized the necessity of holding firm the loyalty of the Six Nations; and to keep it, they offered at once to vote the sum of eight hundred pounds, provided the persons chosen to distribute the people's money were such as they approved of. In regard to the forts on the distant frontier, so near Canada, they considered that the other colonies should share the expense of permanently guarding the king's dominions.

In answer to these defiant resolutions, which practically impeached the governor, Clinton sent a curt and insulting note of less than one hundred words. The Dutchman's ire now blazed fiercely. After the significant ceremony of locking the door and laying the key on the table, they proceeded to issue a manifesto, marshalling in review the whole proceedings since June 6, 1746. They censured him for removing the former commissioners of Indian affairs, and for practically making Dr. Colden the real administrator of affairs in the cabinet, and Colonel Johnson in the field. They sneered at the pretensions and vanity of

the governor in his constant boasting of what he claimed to have done. They charged him with treating the people of the colony with contempt, and with insulting them by vile epithets. They complained of the many brief and inconvenient adjournments to which he had needlessly subjected them. Especially were they enraged in their feelings at the deference paid, at their expense, to the commissioners from Massachusetts and Connecticut. They claimed that they ought to have been kept in session, in order that they might have been advised with, and their opinions consulted from time to time as to the matters under consideration.

In this last point, especially, the Dutch blood was roused ; for although in monarchical England the power of making treaties is vested in the sovereign, yet in the Dutch Republic, then a living reality before their eyes, the States-General, like the United States Senate, shared with the Stadtholder or President the right of treaty-making, and had the power of veto upon all compacts. Even in Great Britain, the exercise of the treaty-making power by the king was subject to parliamentary censure, and ministers negotiating a disadvantageous treaty were liable to impeachment. This right had been several times exercised in the sixteenth and even in the fifteenth century.

The address wound up by this declaration : " No treatment your Excellency can use toward us, no inconveniences how great soever that we may suffer in our own persons, shall ever prevail upon us to abandon, or deter us from steadily preserving the interest of our country."

A committee waited upon the governor on the 9th of October, to present the address; but the angry executive would not hear it, nor receive a copy, and three days later replied with all the artillery of rhetoric and abuse which he and his secretary were able to load into the document. It was as full of vituperation as a carronade of later day was of language shot. As to their complaint that the money intended for Indian presents was not honestly distributed, he charged the House with telling "as bold a falsehood as ever came from a body of men." He was in no way accountable to the Assembly for the manner in which he distributed the money of the Crown. He charged them with violating both the civil and military prerogatives of the king. "Nor will I," he said, "give up the least branch of it [the military prerogative] on any consideration, however desirous you may be to have it, or to bear the whole command." He also asserted, with some attempt at humour, that their farce of locking the door and placing the key upon the table — a symbolic act charging breach of privilege upon the executive — was a high insult to King George's authority, and in so far, an act of disloyalty. He charged that they were assuming the rights and privileges of the House of Commons, and renouncing their subjection to the Crown and Parliament. He had his Majesty's express command not to suffer them to bring some matters into the House, nor to debate upon them; and he intimated that he had a right to stop proceedings when they seemed to him improper or disorderly. After a tirade upon

their insolence and unbecoming conduct, his peroration was a warning not to infringe upon the royal prerogative.

Safety-valves having thus been opened through the ink-bottles, the war of words ceased, and both governor and legislators proceeded to diligence in business. In expectation that Massachusetts and Connecticut would bear their quota of expense, the governor was requested, October 15, to carry out his plan of sending gunsmiths and other mechanics to live among and assist the tribes of the Confederacy westward of the Mohawks. Four days after, however, news came from England ordering the disbanding of all the levies for the expedition to Canada. This was disheartening alike to the governors and the people of the colonies; but some compromise measures were amicably agreed upon between Clinton and the Assembly.

Peace, in New York City at least, seemed almost at hand, when Clinton again attempted folly in trying to muzzle the press. The Assembly had ordered Parker, the public printer, to publish the address and remonstrance of the Assembly, in which they asserted the rights of the people. The governor commanded him to desist. Parker stood by the people and their Assembly, as against the king and his foolish governor. After Cosby's ignominious failure to restrain the liberty of the press by imprisoning Zenger, this act of Clinton's seemed like that of a madman or a man who had no memory. The Assembly ordered Parker to print their manifests, and to furnish each

member with two copies, "that their constituents might know it was their firm resolution to preserve the liberty of the press."

In a word, all this wrangle between colonial governor and Assembly was really the cause of popular liberty against monarchy, of ordered freedom under law against despotism. It was part of the chequered story of liberty, in which the people of New York were in no whit behind those of any of the colonies, but rather led them. Clinton, by his blunders, and Colden, by his toryism, helped grandly forward the American revolution, while the names of Parker and Zenger belong with those of the promoters of order and freedom. When on the 25th day of November, 1747, — significant date, for on that day, only thirty-six years later, King George's troops and mercenaries evacuated that very city of New York, in which Clinton had illustrated the folly of monarchy, — after addressing, or rather berating, the people's representatives, he concluded his address with the significant words: —

"Your continued grasping for power, with an evident tendency to the weakening of the dependency of the province on Great Britain, accompanied by such notorious and public disrespect to the character of your governor, and contempt of the king's authority intrusted with him, cannot longer be hid from your superiors, but must come under their observation, and is of most dangerous example to your neighbours."

It was, indeed, true that New York was setting what was in the eyes of the Tories a most dangerous

example to her neighbours. Most of the people of this colony were descendants of those who had come from the Dutch Republic, where the taxation without consent had been resisted for centuries, and where resistance to monarchy and feudal ideas had been exalted into a principle. It was this determined spirit, reinforced by the lovers of liberty, whether of Huguenot, Irish, Scottish, or Welsh blood, or men from the mother country who believed that the rights of Englishmen were still theirs, that made New York lead all the thirteen original colonies in outgrowing the colonial spirit. New Yorkers first took the steps which must logically and actually lead to separation from the transatlantic country, whose language was indeed spoken in America, but by colonists who had continued the institutions not of monarchical England, but of republican Holland.