

## CHAPTER XI.

COLONEL BRADSTREET, still holding the office of quartermaster general under Amherst, followed his commander to Oswego early in July. He had suffered much from the sickness that so severely smote his camp the year before, and feeling still feeble when the present campaign was opened, he thought it prudent to commit his private affairs to the hands of some friend in whom he could confide. For this important trust he chose Philip Schuyler, and he addressed to him the following letter :

“ALBANY, July 6, 1760.

“DEAR SIR: As all my private affairs are in my leather portmanteau trunk, I hereby commit it to your care and protection, to the end that it may be delivered safe to my wife and children, now at Boston, in case of my decease this campaign, and by your own hand, in which you will ever oblige your faithful friend,

“JOHN BRADSTREET.”

Colonel Bradstreet appears, on further reflection, to have considered Mr. Schuyler the most trustworthy of all his friends with whom, in the event of his death, he might leave the settlement of his public accounts, and on the succeeding day he addressed the following letter to him :

“Your zeal, punctuality, and strict honesty in his Majesty’s service, under my direction, for several years past, are sufficient proofs that I can’t leave my public accounts and papers in a more faithful hand than in yours to be settled, should any accident happen me this campaign; wherefore, that I may provide against it, and that a faithful account

may be rendered to the public of all the public money which I have received since the war, I now deliver you all my public accounts and vouchers, and do hereby empower you to settle them with whomsoever may be appointed for that purpose, either in America or England. And for your care and trouble therein, as well as for your faithful and useful services to the public, I am persuaded, on your producing this paper, you will be properly rewarded, if settled in America, by the commander-in-chief, if in England, by the administration. The accounts are clear, and vouchers distinct and complete up to this time, except trifles. I am, sir, your faithful, humble servant,

“JOHN BRADSTREET.”

Too feeble in health to accompany Amherst's expedition down the St. Lawrence, Bradstreet remained at Oswego in the exercise of his official duties, and at the end of the campaign was joined at Albany by his family, who came from Boston. The intercolonial war had now ceased, though the French and British continued hostilities upon the ocean, and the Indian tribes on the western and southern frontiers of the English colonies, having tasted blood, made frequent havoc of life and property among the settlers. The provincial forces, except those that appeared necessary to repel these savage inroads, were disbanded, and all industrial pursuits were resumed.

As quartermaster general, Colonel Bradstreet had many accounts to settle with the home government at the close of 1760. He preferred to go to the source of authority for the purpose rather than transact his business with agents in America. His feeble health and the cares of a family made it difficult for him to cross the Atlantic, and again he turned to his young friend, Philip Schuyler, as his most trustworthy agent.

At Bradstreet's solicitation, Mr. Schuyler went to England early in 1761. In return for the confidence which that officer had reposed in him, Mr. Schuyler, by a power of attorney, constituted his “good friend, Colonel John

Bradstreet," his agent for the management and disposition of his property during his absence or in the event of his death. They had purchased broad acres of land together in the Mohawk valley, near the present city of Utica, and the business of each was well known to the other. The power of attorney was executed on the 16th day of February, 1761, in the city of New York, whither Mr. Schuyler had gone for the purpose of embarkation for England.

The precise date of his departure is not on record, and the name of the vessel can only be conjectured from a vague letter of the captain of a French privateer, to which reference will be made presently. That name was *The General Wall*, and was a packet. As soon as Schuyler went on board he became interested in the management of the vessel, especially in the mathematical features of the navigator's art, and he applied himself diligently to its study. That application was timely and fortunate, for the captain soon died, and the passengers and crew, with common consent, made Mr. Schuyler the commander.

On the voyage they met a dismantled slaver in great distress. She had been driven about upon the ocean for several days in a severe storm. Her water and provisions were exhausted. Schuyler transferred the crew to his own vessel, and ordered the hatches of the slaver to be opened, to give the two hundred negroes a chance for their lives. A few days afterward he met a vessel laden with horses, bound for the West Indies, and he requested the captain to seek the slaver and feed the miserable starvelings on horse-flesh.

Not long after this, Schuyler's vessel was captured by the French privateer *La Biscayen*, of Bayonne, commanded by M. Lafargue, who placed his lieutenant on board the prize. The latter officer appears to have made

immediate arrangements for the ransom of his prisoners, demanding from Schuyler fifty pounds sterling as his share of the ransom money. But the Frenchmen's prize was soon lost, for the captors and the captives were seized by an English frigate, and conveyed to London.

On the 13th of April Lafargue addressed a polite letter to Schuyler. After first disclaiming all collusion with his brother officer in making the extortionate demand for his ransom, he reminded Schuyler of the good treatment he had received at the hands of the writer while he was a prisoner; and then, coming to the main object of his letter, he implored him to use his influence in procuring the release of his two brothers, who were officers of another privateer of Bayonne, commanded by Lafargue's brother-in-law, that had been captured by an English frigate.\*

Intelligence of Schuyler's escape reached his friends at the middle of May, and gave them great joy, for the ocean was swarming with privateers. William Smith, the historian, his warm personal friend, wrote to him from New York on the 15th of May, saying :

"The packet arrived last night, and another sails suddenly in the morning, so that I have only time for a word. I congratulate you most heartily on your escape and arrival, and extreme good fortune in saving your papers. Colonel De Lancey† forwarded your letters to Mrs. Schuyler and Colonel Bradstreet by express before I got mine from the post office. I shall write to her by the first post.

"We are surprised by the late changes among the principal officers. What is Lord Stirling about? I am sorry to find him unnoticed in the American preferments. Pray let us know every thing on your side that concerns us. What sort of folks have the plantation affairs in their hands."

Much uneasiness was then felt in the colonies in respect

\* Autograph letter.

† Oliver De Lancey, brother of James De Lancey, and commander of a corps of loyalists in the war for independence.

to the future. George the Second had died in the autumn of 1760, and his grandson had ascended the throne, at the age of less than twenty years, as George the Third. His mother appears to have been quite enamored of the Earl of Bute, a gay but poor and unprincipled Scotch adventurer, who had been the prince's tutor, and had great influence over the young king. The eminent Pitt was actually treated with indifference, and the changes to which the writer of the foregoing letter alluded was the retirement of that great statesman from the head of the imperial cabinet, and his place substantially supplied by the shallow Bute. From that hour the rapid alienation of the colonies from the crown began.

William Alexander (Lord Stirling) was yet in England, whither he went with Governor Shirley in 1756, and by the advice of friends had taken measures to obtain from government a recognition of his title of Earl of Stirling, derived from his father, who had been attainted because of his participation in the rebellion of 1716, when the son of James the Second made an attempt to obtain the sovereignty of England. Alexander failed in securing the legal recognition of his title, but his right to it was so generally conceded that he was ever afterward addressed as Lord Stirling. He and Schuyler had become warm personal friends when the former was at Albany in 1756, as Shirley's military secretary, and now they again met as friends in England. They returned to America in the same vessel, and in the struggle for freedom which soon afterward commenced in the colonies they were compatriots and fellow soldiers.

Mr. Schuyler laid the accounts with which he had been entrusted, and which he had arranged in perfect order for Colonel Bradstreet, before the proper committee of Parlia-

ment, and he was highly complimented for their accuracy and neatness. "There was then but one man in England who could compute faster than himself."\* Having completed his business, visited some of the principal places in England, and made the acquaintance of several leading men there, Mr. Schuyler returned home toward the close of summer, to find public feeling deeply stirred by causes which speedily brought about an open rupture between the colonies and the parent country.

For a hundred years the colonists had been subjected to oppressive commercial restrictions, the first oppressive navigation act bearing the date of 1660, the year when Charles the Second ascended the throne. In the weakness of their infancy the colonists had been compelled to submit to those restrictions, though often with a bad grace. But as they increased in numbers, and circumstances taught them to perceive their rapidly augmenting strength, they felt their manhood stirring too strongly within them to submit any longer without uttering a protest. Their industry and commerce were becoming too productive and expansive to be confined within the narrow limits of those restrictions which the Board of Trade had from time to time imposed, and they determined henceforth to regard them as mere ropes of sand. They resolved no longer to submit to laws which declared that all manufactories of iron and steel in the colonies should be considered "a common nuisance," to be abated within thirty days after notice being given, or the owner should be subjected to a fine of one thousand dollars; that prohibited the "erection or contrivance of any mill or other engine for slitting or rolling iron, or any plating forge to work with a tilt-hammer, or any fur-

\* Statement of Mrs. Catharine Van Rensselaer Cochran, General Schuyler's youngest and last surviving child.

nance for making steel in the colonies ;” that forbade the exportation of hats from one colony to another, and allowed no hatter to have more than two apprentices at one time ; that burdened imported sugar, rum, and molasses with exorbitant duties ; and that forbade the Carolinians cutting down the juicy trees of their vast pine forests, and converting their wood into staves and their sap into turpentine and tar, for commercial purposes.

During many long and gloomy years the colonists had struggled up, unaided and alone, from feebleness to strength. They had erected forts, raised armies, and fought battles cheerfully for England’s glory and their own preservation, without England’s aid and often without her sympathy. During the Seven Years’ War, whose turmoil was now ended in America, did they cheerfully tax themselves and contribute men, money, and provisions. They lost, during that war, twenty-five thousand robust young men, besides many seamen. That war cost the colonies, in the aggregate, full twenty millions of dollars, besides the flower of their youth ; and in return Parliament granted them, during the contest, at different periods, only about five and a half millions of dollars. And yet the British ministry, in 1760, while the colonists were so generously supporting the power and dignity of the realm, regarded their services as the mere exercise of the duties of subjects to their sovereign, and declared that, notwithstanding grants of money had been made to them, they expected to get it all back, by imposing a tax upon them after the war, in order to raise a revenue. Even the generous Pitt used language of this kind in a letter to the governor of Virginia. It was the language of a minister who saw the treasury of his country empty—exhausted by a long and expensive war, not yet ended, and with enormous demands upon it, which called for taxation in every con-

ceivable form—and who always maintained that his government had the *right* to tax the colonies.

The resignation of Pitt (who was disgusted with some of his shallow and corrupt colleagues) at that crisis was a most unfortunate occurrence for England, for while the Earl of Egremont, a weak and passionate man, was his nominal successor, the Earl of Bute was the controlling power in the cabinet, because of his connection with the King and his mother. And around Bute moved satellites obsequious alike to himself and the monarch. The most fawning of these was Doddington, who had been raised to the peerage as Lord Melcombe. “He was to Bute,” says Bancroft, “what Bute was to George the Third.” He wished Bute joy, on the resignation of Pitt, “of being delivered of a most impracticable colleague, his Majesty of a most imperious servant, and the country of a most dangerous minister.” He said, “men of the city are not to demand reasons of measures; they must, and they easily may be taught better manners.” Lord Barrington said of the weak King, “He is the best and most amiable master that ever lived since the days of Titus. \* \* \* God has ordained him with the prerogative, and left to his servants the glory of obedience.” Such were the men who surrounded the young monarch and gave direction to the government of England—the great public interests of a people who, by their moral and material strength, had just taken the foremost rank in the family of nations.

The importance of the American colonies was now acknowledged, and the parent government viewed them with mingled feelings of pride and jealousy. Secret agents were dispatched to ascertain and report to the ministry the real condition of the colonists. Some of these gave such fabulous accounts of their wealth and great resources that the govern-

ment resolved to draw much revenue from them ; and the democratic tendency of the people, who seemed to inhale a love of liberty with the free air of their fresh world, was so magnified that the government was alarmed. Long and anxious were the councils of the advisers of the young King, and the Board of Trade, in whose charge the general affairs of the colonies rested, proposed to annul all the colonial charters, reduce each colony to a royal government, and vigorously enforce all existing revenue laws. At the same time the dignitaries of the established church, acting in concert with the government, proposed plans for making the doctrines and rituals of the Church of England the state religion in America.

The first act which revealed the intentions of the Parliament to enforce the oppressive revenue laws was the authorization of writs of assistance. These were general search warrants, which not only allowed the King's civil and naval officers, who held them, to break open any citizen's store or dwelling to search for suspected contraband goods, but compelled sheriffs and other local officers to assist in the work. The sanctities of private life might thus be invaded, as a cotemporary asserted, "by the meanest deputy of a deputy's deputy." The political maxim of the English constitution, that every man's house is his castle, was thus violated, and the people subjected to the most obnoxious form of petty tyranny. They resolved not to submit to it.

In Massachusetts, where American commerce had first budded more than a century and a quarter before, and had now become vastly important, the first firm voice of opposition to the writs of assistance was heard. A question arose whether the persons employed in enforcing the revenue laws should have power to invoke generally the assistance

of all the executive officers of the colony. Chief Justice Hutchinson appointed a day when arguments upon the question would be heard in the old Town Hall in Boston. The court for the purpose was held in February, 1761. It was argued on one side that the revenue officers in America had like powers with those of England, and to refuse a writ of assistance to them would be in effect to deny that the Parliament of Great Britain was the sovereign legislature of the British empire.

It was argued on the other hand that such an act was in violation of the British constitution, and therefore void. "No act of Parliament," said the fiery James Otis, of Barnstable, then advocate general of the colony, "can establish such a writ." With burning words and vehemence of manner that were but faint expressions of his feelings, that wonderful man, then properly named the "great incendiary of New England," portrayed the nature and effects of these writs, which compelled the whole government and the oppressed people to render aid in enforcing the unrighteous revenue laws for the colonies. "I am determined," he said "to sacrifice estate, ease, health, applause, and even life, to the sacred calls of my country in opposition to a kind of power which cost one king of England his head and another his throne. These writs," he exclaimed, "are the worst instrument of arbitrary power, the most destructive of English liberty and the fundamental principles of law."

The majority of the judges believed Otis to be right ; and when, according to John Adams, who was present, the orator exclaimed "to my dying day I will oppose, with all the power and faculties that God has given me, all such instruments of slavery on one hand and villainy on the other," the whole audience seemed ready to take up arms

against the writs of assistance and kindred measures. "Then and there," said Adams, "American independence was born ; the seeds of patriots were then and there sown."

Hutchinson, ambitious of royal favor, and grasping for the emoluments of office which that favor might secure to him, took sides with the crown, and thereby planted in his own side that thorn of popular distrust which finally led to his ignominious flight to England. Great discontents followed, and the fires of the Revolution began to kindle all over the land.

The province of New York, at this time, was powerfully agitated, not so much by religious controversies, which before the war had occupied a large space in the public mind, nor by the writs of assistance which had inflamed Massachusetts, but because a blow had been struck at the independence of the judiciary. Lieutenant Governor De Lancey had died suddenly, at the close of July, 1760, after spending several hours at a dinner party on Staten Island, and the government devolved temporarily on Dr. Cadwalader Colden, the president of the council. Colden was then seventy-three years of age. On hearing of the death of De Lancey, he came from his rural retreat in Orange county and took up his residence at the province house in the fort at New York. General Monckton, who had lately been appointed governor of the province, was too much engaged in military affairs to pay any attention to civil duties, and he joined in a recommendation for the appointment of Colden as lieutenant governor.

The chief justice of the province had lately died. As the other judges had some doubts as to the validity of their commissions, since the demise of the late King, they and the people urged Dr. Colden to fill the vacant seat of the chief justice immediately, that processes might not cease.

Colden's reply was ambiguous. He was contemplating his own aggrandizement, and had resolved to compliment the Earl of Halifax, the secretary of state for the colonies, by desiring him to nominate a chief justice. This was done, and more. Through the influence of Governor Pownall, Pratt, a Boston lawyer, was not nominated but actually appointed chief justice of New York, to hold his office, not, as before the late sovereign's death, "during good behavior," but "at the pleasure of the King."

The assembly and the people were startled by this blow at the independence of the judiciary. They held this new tenure of judicial power to be inconsistent with liberty in America. To make the King's will, they said, the tenure of office, is to make the bench of judges the instrument of the royal prerogative. The administration of justice throughout all America will thus be subjected to an absolutely irresponsible power. The assembly rebelled against this encroachment on the rights of the people, and resolved that while the judges should hold office by such tenure they would grant them no salary. They in effect declared that the people were the true source of all authority. "For some years past," wrote Colden, complainingly, to the Board of Trade, "three popular lawyers,\* educated in Connecticut, who have strongly imbibed the independent principles of that country, calumniate the administration in every exercise of the prerogative, and get the applause of the mob by propagating the doctrine that all authority is derived from the people."

The old question of church and state was now revived in New York. It was strongly suspected, what subsequently proved to be the fact, that the Episcopal clergy

\* These were William Livingston, John Morrin Scott, and William Smith, the historian.

were in secret communication with Dr. Secker, Archbishop of Canterbury, on the subject of the establishment of episcopacy in America, and the extension of the ecclesiastical dominion of the Church of England over the colonies. Dr. Johnson, the president of King's College in New York, had this project deeply at heart, and in his zeal he revealed sufficient to alarm the fears of the more timid or watchful opponents of the scheme. The colonists opposed it on political grounds only. They knew that if Parliament could create dioceses and appoint bishops, it would introduce tithes and crush so-called heresy. They remembered the character of the hierarchy from the oppression of which the ancestors of the Puritans had fled, and, conscious of the natural alliance between a banded church and state in all measures affecting each other, it was fair to conclude that if the British government was assuming the character of a tyrannical master, the church would necessarily be its abettor. They also knew, from the teachings of all history, that the most implacable tyrant was an ecclesiastical one.

For these reasons, those who espoused the cause of the people in their opposition to the oppressive measures of government (and among them was found Philip Schuyler) were vigilant in watching and active in thwarting every movement that tended to episcopacy in America. In the popular discussions of the rights of the people in the province of New York, the ecclesiastical topic formed an elemental and substantial part for many years. The controversy was sometimes upon the ecclesiastical topic alone, and ran high. The newspapers and pamphlets were the principal vehicles by which the sentiments and the arguments of the controversialists were conveyed to the people at large. Art was sometimes evoked to aid the pen. One example will suffice to illustrate the character of this

auxilliary and the spirit of the opposition. The *Political Register* for 1769, when the religious controversy we are considering was at its height, contained a picture entitled "An attempt to land a Bishop in America." A portion of a vessel called *The Hillsborough* (in allusion to the Earl of Hillsborough, then the colonial secretary) is seen. She is lying at a wharf, on which is a crowd of earnest people, some with poles pushing her from her moorings. One holds up a book inscribed "Sidney on Government ;" another has a volume of Locke's Essays ; a third, in the garb of a Quaker, holds an open volume inscribed *Barclay's Apology*, and from the mouth of a fourth is a scroll bearing the words "No lords, spiritual or temporal, in New England." Half way up the shrouds of the vessel is seen a bishop in his robes, his mitre falling, and a volume of Calvin's works, hurled by one on shore, is about to strike his head. From his mouth issues a scroll, inscribed, "Lord, now lettest thou thy servant depart in peace !" In the foreground is a paper, on which is written, "Shall they be obliged to maintain bishops that can not maintain themselves ?" Near it is seen a monkey in the act of throwing a stone at the bishop.

As we have already observed, the war had ceased in America, but was continued by the French and English on the ocean and among the West Indies with almost uninterrupted success for the latter. Guadaloupe fell into the hands of the British ; and at the close of 1762 General Monckton, with fresh laurels on his brow, produced his commission as governor to the council of New York, and then sailed from the capital of that province with two line-of-battle ships, a hundred transports, and twelve thousand regular and colonial troops, the latter led by General Lyman, the former lieutenant of General Sir William John-

son. Gates, afterward a major-general in the Revolutionary army, accompanied Monckton as his aid, and was honored as the bearer of his general's dispatches to the British government announcing his capture of Martinique. With him went also Richard Montgomery, who, the leader of an invading army, was killed at Quebec at the close of 1775. He was then a captain in the service. Both he and Gates were afterward the friends and companions-in-arms of Philip Schuyler.

Monckton was successful every where in the West Indies. Grenada, St. Vincent's, St. Lucie, and every island of the Caribbean group possessed by the French were speedily passed into the hands of the British. Meanwhile Spain had, by secret treaty with France, known as the Family Compact, (the sovereigns of each empire being Bourbons,) become a party in the contest. Spain commenced hostilities against Great Britain before the latter power, contrary to the advice of Pitt, who had information of the compact, had declared war. At once the British cruisers commenced forays upon Spanish colonial commerce. It was utterly cut off in a very short time, and in August, 1762, the Havana, the key to the Gulf of Mexico, was taken by a British armament.

The finances of France were now almost ruined. Loss after loss was weakening the prestige of her arms and sapping her moral and material strength, and she was compelled to abandon the contest, and with it all claim to territorial possession on the North American continent. Finally, on the 3d of November, 1762, a preliminary treaty was negotiated at Fontainebleau, and definitely concluded at Paris, on the 10th of February, 1763, by which all the vast region east of the Mississippi river (except the island of New Orleans, which, with Louisiana, had been ceded by

France to Spain,) was given up to the British. Spain, then in possession of Florida, gave it for the Havana, and the sovereignty of the whole eastern half of North America, from the orange groves of the Gulf of Mexico to the polar ice, was vested in the British crown.

But the Indians on the southern and western frontiers, incited by French emissaries, were yet restless and unsubdued. Those on the borders of the Carolinas were making frequent bloody forays upon the settlements. Mutual wrongs, inflicted by the Virginians and Carolinians, and the warlike Cherokees—the bold mountaineers of the southern country—kindled a fierce war in the spring of 1760. In the course of a few weeks, the whole frontier of the Carolinas was desolated by the savages. General Amherst heeded the calls of the southrons for aid, and in April, Colonel Montgomery, with some British regulars and provincial troops, marched from Charleston and laid waste a portion of the Cherokee country. Yet these bold highlanders were not subdued. The following year Colonel Grant led a still stronger force against them, burned their towns, desolated their fields, and killed many of their warriors. Then they humbly sued for peace. It was granted at a treaty in June, 1761, and comparative repose was vouchsafed to the frontier settlers for several years.

Meanwhile French emissaries were stirring up the northwestern tribes to hostilities against the English. The cloud of danger soon became most portentous. Pontiac, the sagacious chief of the Ottawas, who met Rogers on his way to Detroit, and who had been an early ally of the French, secretly confederated several of the Algonquin tribes, in 1763, for expelling the English from the country west of the Alleghanies. That wily chief had professed attachment to the English. There appeared safety on the borders of his

dominions, and emigration began to pour a living flood into the wilderness. Pontiac became alarmed at this subtle invasion. He saw in the dim future his whole land in possession of the pale faces, and his race driven away or extinguished. With patriotic impulse he resolved to strike a deadly blow for kindred and country. Secretly he confederated the savage tribes ; adroitly he eluded the vigilance of the white man ; and within a fortnight, in the summer of 1763, all the frontier posts west of Oswego, possessed by the English, fell into his hands, except Niagara, Fort Pitt, and Detroit. Boquet saved Fort Pitt ; Niagara was not attacked ; and Detroit, after sustaining a siege almost twelve months, was relieved by a provincial force, under Colonel Bradstreet, in May, 1764. Soon after this, the power of the Indians was completely broken, and the last act in the drama of the French and Indian war was closed.