

## CHAPTER XVII.

THAT General Schuyler was a victim of a conspiracy at this time, no careful student of our history can reasonably doubt. Let us here take a view of the circumstances connected with his removal from the command of the Northern Department and the appointment of General Gates to succeed him, and see whether they justify such a belief.

We have seen how earnestly New England delegates in Congress had shown their desires for more than a year that Gates should have the command of that Department; how willingly they and some of the New England officers allowed the most injurious slanders to be propagated concerning General Schuyler, and how well they succeeded in securing their object, once partially and again wholly, for a brief season. We have seen how abruptly General Gates left the Northern Department when General Schuyler's character and conduct were so thoroughly vindicated by the inquiry and conclusions of a committee of Congress that they felt compelled to reinstate him in command, even the friends of the displaced General not having the courage, in the face of that vindication, to oppose the measure. We have seen how Gates was admitted to the floor of Congress on the motion of a delegate from Connecticut with the pretence that the General desired to make an important communication, and how angrily, disgracefully, and contemptuously he behaved before that

body, which meekly bore his insolence without officially reproving him.

From that time Gates and his friends were the persistent enemies of General Schuyler. The former, through the medium of passion, saw in the commander of the Northern Department, who had always treated him with the most considerate kindness and bestowed upon him his generous confidence, nothing but a hated rival. He lingered in Philadelphia, spending much time with his friends in Congress to the neglect of duties which Washington directed him to perform at that critical time; and when the news of the loss of Ticonderoga went over the land, he was among the loudest who denounced the evacuation as a criminal act, and held the commander of the Northern Department responsible for it. No effort was spared to impress the country with the belief that Schuyler was either wholly incompetent to perform the duties of his office, or was disloyal to his flag, or both. Every art was practised to make him unpopular with the New England people, and the fact that they were tardy in leaving their harvest-fields and repairing to camp in numbers sufficient to enable Schuyler to do more than act on the defensive, was pointed at as evidence of Schuyler's unpopularity.

This view of the case was presented to Congress late in July, when the conspiracy for Schuyler's removal was ripe. It was suddenly pressed upon the attention of that body with a strange vehemence. Schuyler's friends in Congress were taken by surprise. Mr. Duane, as we have seen, wrote to him on the 29th of July, telling him that he would probably be called to an account for the evacuation of Ticonderoga, a proceeding which Schuyler most earnestly desired, and urged his friends in Congress to

press that body to make the most rigid scrutiny into his conduct. "I would not, however, wish the scrutiny to take place immediately," he said to Duane, "as we shall probably soon have an engagement, if we are so reinforced with militia as to give us a probable chance for success. \* \* \* Be assured, my dear friend, if a general engagement takes place, whatever may be the event, you will not have occasion to blush for your friend."

From the hour when, on the 29th of July, Congress resolved that an investigation concerning the loss of Ticonderoga should be made, the matter was pressed with unseemly zeal. It appeared as if Gates' friends were apprehensive that some turn in affairs in the Northern Department might not leave them a decent excuse for the removal of General Schuyler, and they pressed upon Congress the necessity of a change in command there with such vehemence, that three days after passing the resolution for an investigation, they adopted the one relieving him and ordering him to head-quarters.

It was a moment of great gloom throughout the country, for the future was then shrouded in uncertainty, and it was of the utmost importance that every man capable of bearing arms should be in the field. Schuyler's letters continually informed Congress of his lack of reinforcements and the desertion of the militia, which his enemies charged to his unpopularity and the utter lack of confidence in his military ability. New England delegates, who disbelieved every word uttered against his abilities and patriotism, saw in the fact of the tardiness of the militia in moving toward his department, whatever might be the cause, a sufficient ground for making a change; and Schuyler's personal friends in Congress, though satisfied

that such was not the cause, and so declared, felt compelled to acquiesce in the measure for his removal, and so sacrifice him to what seemed to be the public good. "Your enemies," James Duane wrote three weeks later, "relentless, and bent on your destruction, would willingly include you in the odium of losing Ticonderoga. The change of command was not, however, founded on this principle, but merely on the representation of the Eastern States that their militia, suspicious of your military character, would not turn out in defence of New York while you presided in the Northern Department. So confident were they in their assertions, and such, from your own representations, was the gloomy aspect of affairs there, that the Southern members were alarmed, and we thought it prudent not to attempt to stem the torrent."\*

John Jay wrote to Schuyler from Kingston: "Washington and Congress were assured that unless another general presided in the Northern Department the militia of New England would not be brought into the field. The Congress, under this apprehension, exchanged their general for the militia—a bargain which can receive no justification from the supposed necessity of the times."†

So anxious were Gates' friends in Congress to have him appointed to fill Schuyler's place, that on the day after that body, by resolution, directed Washington to order such general officer as he should think proper to repair to the Northern Department and take command, the New England delegates addressed the following letter to the Commander-in-chief:

"SIR—As Congress have authorized your Excellency to send a proper officer to take the command in the Northern Department, we

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Autograph Letter, dated Philadelphia, August 23, 1777.

† Autograph Letter, September 12, 1777.

take the liberty to signify to your Excellency that, in our opinion, no man will be more likely to restore harmony, order, and discipline, and retrieve our affairs in that quarter, than Major-General Gates. He has, on experience, acquired the confidence, and stands high in the esteem, of the Eastern States and troops. With confidence in your wisdom, we cheerfully submit it to your Excellency's consideration, and have taken this method to communicate our sentiments, judging it would give you less trouble than a personal application. We are, with great esteem, your Excellency's most obedient and most humble servants."

"The original of this letter," says Dr. Sparks, "is in the handwriting of Samuel Adams, and is signed by the following names in the order in which they here stand: John Adams, Nathaniel Folsom, Samuel Adams, Henry Marchant, Eldridge Gerry, Eliphalet Dyer, William Williams. A prejudice existed against General Schuyler among the people of the New England States, which is not easy now to explain. There was not an individual connected with the Revolution concerning whom there is more abundant evidence of his patriotism and unwearied service in the cause of his country. But it was his misfortune to command where disasters crowded upon each other and disappointed public expectation. The failure of the Canada expedition, and recently the loss of Ticonderoga, with the disheartening prospects of a retreating army, were all laid to the charge of the commanding general; and the tide of public clamor, strengthened by the party antipathy of a few prominent politicians, was not to be resisted. Even the friends of General Schuyler acquiesced in his being superseded upon the conviction that the Eastern troops would not march to join the army under his command. This point was urged in Congress with great pertinacity by the Eastern delegates, but with more zeal than justice, as appears from the fact that a large reinforcement of troops was then preparing to march from New Hampshire, who achieved the brilliant victory of Bennington while General Schuyler was yet at the head of the army."\*

Washington was not a man to be thus impertinently interfered with in the performance of his duty, and in a respectful letter to Congress on the 3d of August, he declined to act in the matter. Besides he had then lost confidence in Gates, and was unwilling to appoint him to a command for which he regarded him as unfitted. He said to the president of Congress in his letter that the North-

\* Washington's Writings, V. 14.

ern Department, in a great measure, had been considered as separate and more peculiarly under their direction, and the officers commanding there always of their nomination. "I have never interfered," he said, "further than merely to advise and to give such aid as was in my power, on the requisition of these officers. The present situation of that department is delicate and critical, and the choice of an officer to the command may involve very interesting and important consequences."

Gates, through the force of Eastern influence, was appointed by Congress to the command of the Northern Department and soon set off for Albany, arriving at Schuyler's head-quarters, as we have observed, on the evening of the 19th of August. The patriot had been informed only a few days before who was to be his successor. Notwithstanding he was satisfied that Gates had been conspiring against him, he resolved to subordinate every personal consideration to the public weal. He had written to Duane on the 15th: "Last night I was advised that General Gates is on the point of arriving to relieve me. Your fears may be up, lest the ill-treatment I have experienced at his hands should so far get the better of my judgment as to embarrass him. Do not, my dear friend, be uneasy on that account. I am incapable of sacrificing my country to a resentment however just, and I trust I shall give an example of what a good citizen ought to do when he is in my situation. I am nevertheless daily more sensible of the affront Congress has so unjustly given me."

Schuyler received Gates cordially; proceeded to acquaint him with all the affairs of the department, the measures he had taken and those he had projected, and in-

formed him that he had signified to Congress his intention to remain in office in that department, for the present, and render every assistance in his power at that critical juncture.\* On the same day Schuyler wrote to James Duane in Congress :

“ I assure you, my dear sir, that I feel the indignity Congress has put on me with a poignancy easier to be conceived than described. An inquiry into my conduct, I trust, will not only redound to my honor, but to the mortification of those thro’ whose inattention the public has experienced a variety of misfortunes in this quarter ; and who these are I think I shall be able to point out so clearly as that not a doubt will remain. Whether the removing me from the command at this critical conjuncture was a wise measure or not, time and events must decide. The New England militia, or at least many of them, declared they would not march while I, and the general officers that were at Ticonderoga when it was evacuated, continued in command. On the contrary, the militia of the County of Albany almost unanimously declared that they will not serve if I quit the department. I have received the most alarming letters on this subject, but I am resolved to make another sacrifice to my country, and risk the censures of Congress, by remaining in this quarter after I am relieved, and bringing up the militia to the support of this weak army. \* \* \* \* I wish some of my friends had informed me who is to take the command. How I shall pity him altho’ he should be my enemy, for he will find a choice of difficulties to encounter.”

This drew from Duane a reply, in which he said :

“ Your resolution to stay and exert yourself while the country remains in such imminent danger is worthy of a virtuous, brave and patriotic citizen. All your friends wish that fortune may put it in your power to give some signal proof of the only military talent which you have evidenced in the course of your command for want of an opportunity. They all pronounce that this would put your enemies to silence and to shame, and elevate you to the highest rank among the American Commanders.

“ The application from the Eastern Generals for your continuance in the Department, and the respectable reinforcement from New Hampshire, which so palpably contradict the assertions of your enemies which were the basis of your removal, are no small occasion of triumph to such of us as predicted that you would be supported, and will not readily be forgotten.”

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\* See Schuyler’s Letter to Congress, dated August 15th, on page 301.

The determination of Schuyler to remain in the army was not pleasing to Gates, and excited his jealousy, and no doubt his fears also, that an investigation might result, as before, in the acquittal and reinstatement of one whom he now regarded as his rival. He was surprised, too, to find that the New England general officers of the army had joined with others in the expressions of regret because of the necessity which compelled Schuyler to leave the command of them; and he seemed determined to shun the patriot and take as little of his advice as possible. In a letter to Washington, on the 22d of August, he mentioned the signal victory gained by Stark at Bennington, and of the blow Herkimer had given the enemy at Oriskany; the march of Arnold to the relief of Fort Schuyler; thanked him for sending him Morgan's corps of riflemen, which he hoped would be serviceable, as he had been informed that the army had been quite panic-stricken by "the Indians and their Tory and Canadian assassins in Indian dress," and spoke of the expected appearance of Governor Clinton that day, saying: "Upon his arrival I shall consult with him and General Lincoln upon the best plan to distress, and, I hope, finally to defeat, the enemy."

In this letter Gates did not say one word about consulting General Schuyler, who had so thoroughly prepared the way for his successor to achieve victory and renown. He did not invite Schuyler to his first council of war, but called General Ten Broeck up from Albany to attend it. Such was the contrast between Schuyler's magnanimity and Gates' littleness. Gouverneur Morris, who was a friend of Gates, provoked by this mean spirit, remarked: "The commander-in-chief of the Northern Department may, if he please, neglect to ask or deign to



secure advice ; but those who know him will, I am sure, be convinced that he wants it. Fortune may make him a great man in the estimation of the vulgar, who will fix their estimation at their own price, let the intrinsic value be what it will. But it is not in the power of fortune to bestow those talents which are necessary to render a person superior to her malice.”\*

General Schuyler, perceiving in Gates a disposition to act without his council and advice, no more intruded them upon him, but went forward in his path of duty to his country and calmly awaited the promised investigation. Rising above all mean resentments, he continued to correspond with Congress, and give his valuable advice, especially concerning the Indians, over whom he had more influence and a better knowledge of them, than any officer of the army or civilian in council. He even tendered to them his gratuitous services as a private gentleman, in any way in which he might be useful. As President of the Board of Commissioners of Indian Affairs (as we shall observe hereafter) he was vigilant and active. He gave specific advice concerning the conduct of the Six Nations, and recommended preparations to carry the war into the heart of their forest domain ; and it was his counsel that eventually brought about the decisive expedition of General Sullivan in 1779.

The treatment Schuyler received at the hands of Congress and of Gates drew forth many sympathizing letters from his friends. Gouverneur Morris, who, with Jay, went to Philadelphia to represent the true state of affairs in the Northern Department, did not arrive there until

\* Autograph Letter of Gouverneur Morris to General Schuyler dated at Kingston, Sept. 18, 1777.

the day after Schuyler was superseded. In a letter to the patriot, from Kingston, he wrote :

“ You will readily believe that we were not pleased at this resolution, and I assure you for my own part, I feel exceedingly distressed at your removal, just when changing fortune began to declare in your favor. Congress, I hope, will perceive that our successes have been owing to the judicious plans adopted previous to your removal.

“ Our representations of your situation have obtained, as by this time you must be sensible, such reinforcements for the Northern armies as will enable Gates to act with éclat if he has spirit and understanding sufficient for that purpose. His situation is certainly an eligible one. As his friend, I am pleased at the opportunity he has of acquiring honor, while I sincerely lament his possessing this opportunity at your expense.”\*

Grateful to his feelings as were sympathetic words of this kind, from friends, none touched his heart more sensibly than did the cordial expressions of an address of his fellow-citizens of the city and county of Albany, who had been eye-witnesses to his services in the cause of his country. This was delivered to him on the 7th of September, to which he made the following reply on the same day :

“ *Gentlemen :*

“ The Testimonial you have been pleased to give me of your approbation of my conduct while I had the honor to command the military in this Department affords me a very sensible satisfaction. As many of you, gentlemen, were inhabitants of that part of the country abandoned by the retreat of the army under my command to the power of the enemy, are very capital sufferers, and were witnesses of the necessity of the measures I adopted, it will, I hope, retard the progress of that calumny which has so unjustly and industriously been propagated against me.

“ However chagrining the Resolutions of Congress were of the 29th and 30th of July, by which the command of the Northern Army was taken from me, I have a consolation which none can deprive me of, in the conscious reflection that I have done my duty both before and since the evacuation of Ticonderoga, and I trust that the strictest inquiry into my conduct will evince it ; perhaps the Honorable Congress was

\* Autograph Letter, August 27, 1777.

under the disagreeable necessity of sacrificing the feelings of an innocent individual to the general weal of the whole. If so, time will make it appear, and I shall not repine at having once more unjustly suffered in the cause of my country. Be pleased to accept of my best thanks, not only for your politeness and attention on this occasion, but for that support which I, with great pleasure, acknowledge to have received from you and my immediate countrymen during the course of my command."

General Schuyler was naturally anxious to have the investigation ordered by Congress as speedily as possible. That body had heard the report of the Committee on "the mode of conducting the inquiry into the causes of the evacuation of Ticonderoga," and on the 27th of August appointed a committee of three members to correspond with public or private persons, by letter or otherwise, whichever they might choose, in order to collect the clearest proofs concerning the army at those posts, to examine the merits of the council of war; what orders Schuyler had given from time to time, and every other matter properly bearing upon the subject. It was resolved that upon such inquiry and collection of facts, a copy of the whole should be transmitted by that Committee of Correspondence to General Washington, and that thereupon he should appoint a court-martial for the trial of the general officers who were in the Northern Department when Ticonderoga and Mount Independence were evacuated, agreeable to the rules and articles of war.

After that the matter slumbered in Congress until General Schuyler, in a letter to that body, written on the 29th of December, urged them, by every consideration of justice, to make the promised inquiry speedily. "I have suffered so much in public life," he said, "that it cannot create surprise if I anxiously wish to retire and pay that attention to my private affairs which the losses I have sus-

tained by the enemy, and the derangement occasioned by devoting all my time to the duties of my offices have occasioned, and yet the impropriety of resigning them before the inquiry has taken place or the committee reported my innocence is too striking to need dwelling on."

This was followed by an order in Congress on the 20th of January, 1778,

"That the committee appointed to inquire into the causes of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general officers in the Northern Department, proceed immediately on that business and report on Monday next."

That committee reported on the 5th of February following, that they had made the fullest inquiry in their power upon the subject, and had collected a variety of evidence which they were ready to transmit to General Washington; whereupon it was

"*Resolved*, That the committee be directed to transmit the evidence by them collected to General Washington, and that he be authorized and directed to appoint a court-martial for the trial of the general officers who were in the Northern Department when Ticonderoga and Mount Independence were evacuated, agreeably to the rules and articles of war."

Congress then proceeded to the election of John D. Sergeant, attorney-general of the State of Pennsylvania, and William Patterson, attorney-general of the State of New Jersey, as counsellors "learned in the law," to "assist and coöperate with the judge-advocate in conducting the trial."

Months passed away before the court-martial was assembled. It was finally convened on the first day of October, 1778, at the house of Reed Ferris (yet standing), in the town of Pawling, Dutchess County, N. Y., near Quaker Hill, where Washington had his head-quarters,

and which he had just evacuated. There General Schuyler was put upon his trial on that day.

The court was composed of the following officers :

Major-general BENJAMIN LINCOLN, <i>President.</i>	
Brig-general JOHN NIXON,	Colonel RUFUS PUTNAM,
“ GEORGE CLINTON,	“ MORDECAI GIST,
“ ANTHONY WAYNE,	“ WILLIAM RUSSELL,
“ J. P. G. MUHLENBERG,	“ WILLIAM GRAYSON,
Colonel JOHN GREATON,	“ WALTER STEWART,
“ FRANCIS JOHNSON,	“ R. J. MEIGS.
JOHN LAURENS, Judge Advocate.	

The charge was *Neglect of Duty*, in not being present at Ticonderoga to discharge the functions of his command from the middle of June, 1777, until it was no longer possible to maintain Ticonderoga and Mount Independence consistent with the safety of the troops and stores, when he should have caused a retreat to be made for the preservation of both, under the 5th article of the 18th section of the rules and articles of war.

It was specified that the Northern Department included Albany, Ticonderoga, Fort Stanwix, and their dependencies, and that the act of Congress on the 22d of May, 1777, released him from all restraint respecting the place of his head-quarters :

That by letters to him by St. Clair, under various dates from the 13th of June to the 1st of July 1777, he was made acquainted with the probable designs of the enemy and of the great danger to the posts :

That in consequence of the first three letters from St. Clair, he went to Ticonderoga on the 20th of June and there held a council of war, composed of Major-generals Schuyler and St. Clair, and Brigadier-generals De Fermoy, Poor and Patterson ; and though that council determined that the effective rank and file of the army at Ticonderoga

and Mount Independence were greatly inadequate to their defence, but that, nevertheless, both posts ought to be maintained as long as possible consistent with the safety of the troops and stores, and that the fortifications and lines on Mount Independence were very deficient, and that the repairs and additions to them ought to claim immediate attention, yet General Schuyler made no stay at Ticonderoga to expedite the work on Mount Independence, and to cause a retreat to be made when it became no longer possible to maintain the posts, consistent with the safety of the troops and stores, for his absence appears from General St. Clair's letter to him on the 24th of June and those that followed :

That Ticonderoga and Mount Independence being the posts of greatest defence to the United States against the advance of the British forces in Canada, and the main army in the Northern Department being stationed at those posts, it was General Schuyler's duty to have been at the head of that army and to have removed them when he knew the enemy were actually advanced against it :

That his forces were greatly inadequate to the defence of the posts, and that they were to be abandoned in the moment when it should become no longer possible to maintain them consistent with the safety of the troops and stores ; a moment of which it was necessary the first officer in the department should judge ; that in the absence of General Schuyler this critical and important movement passed unobserved, or unimproved, with the loss of the sick, ammunition, cannon, provisions, and clothing of the army, and the loss of many lives in the retreat.

The Judge Advocate having produced various documents, such as Acts of Congress referred to, and copies of

St. Clair's letters just mentioned, and other written testimony, opened the evidence. General Schuyler produced his official Letter Books, and summoned Lieutenant-colonel Richard Varick, his Secretary and confidential aid, and Major John Lansing, Jr, his clerk, to testify concerning the keeping of his records, and the verity of the copies of his letters. This verity having been established by the testimony of these two gentlemen, the general caused to be read to the court, from these Letter Books, various letters and their answers, bearing upon the subject of the inquiry. He then proceeded to make his defence in person.

The general opened with self-congratulations in having so excellent a tribunal before whom he was to be tried.\* He referred to the charge as simple and confined to one point, and "the evidence added to support it," he said, "was compressed in a very small compass." He expressed a wish that the nature of his defence would "admit of equal conciseness." He then went into a brief history of his acts while in command of the Northern Department, from his appointment thereto in June, 1775, to his being superseded early in 1777, reinstated in May following, and his being finally superseded in August of that year. He then gave an outline of events during his last occupancy of the office, St. Clair's appointment to the command of the lake fortresses, and their evacuation.

General Schuyler referred to the charge of being absent

\* Five of the thirteen members of the Board (Lincoln, Nixon, Greaton, Putnam and Meigs) were New England officers; only one (Clinton) was from Schuyler's own State; four (Wayne, Muhlenberg, Johnson and Stewart) were from Pennsylvania; one (Gist) was from Maryland; two (Russell and Grayson) were from Virginia; and the Judge Advocate (Laurens) was from South Carolina.

from the post and therefore neglectful of his duty during that time, and to that charge, he said, he was there to answer. As the loss was sensibly felt and had occasioned much surprise and resentment, he had presumed an inquiry would have been made by Congress so soon as the necessary information and evidence could be obtained, and that the respect due to that body had prevented his pressing them until nearly two months had elapsed after he had been superseded. After that, he said, he took the liberty of writing sundry letters to Congress, of which he proceeded to read extracts. These covered the time from September 27, 1777, to the 9th of May, 1778. He cited these repeated requisitions upon Congress to show that he had been ever anxious for an investigation, and said the delay had chagrined and injured him.

General Schuyler then admitted his absence, as charged, but begged leave to insist, and doubted not he should be able to prove, that he was guilty of no neglect of duty in not being there, and proposed to show his incessant attention to duty; the reasons of his absence from Ticonderoga; and that during that time, every part of his conduct gave evidence of care and attention; and that although superseded and calumniated, he uniformly continued his exertions in the common cause, and received frequent marks of the confidence of Congress, fairly showing that Congress still retained a favorable opinion of his attention to the public weal, as well as of his inclination to promote it.

At this point General Schuyler cited the letters of Hancock and resolutions of Congress, and his own letters to Congress, especially that to its committee, of November 8, 1776,\* in which he gave a plan for strengthening the

\* See page 146.



posts on Lake Champlain; copies of orders to commissaries and deputy quarter-masters, and a number of letters to other officers, all of which showed his entire devotion and attention to the business of the Department.

This trial lasted three days. Only Major-general St. Clair, Lieutenant-colonel Varick, and Major Lansing, were called as witnesses. After their examination he closed his defence with a few remarks, in which he said he wished briefly to observe that his correspondence showed that from the beginning of November, 1776, to the end of March following, a month after he was superseded, his exertions to prepare for the campaign of 1777 were without intermission; that immediately on his reappointment he returned to Albany and adopted every means possible to provide the necessaries for the campaign, to procure intelligence of the enemy's intentions, and to conciliate the affections or guard against the hostile intentions of the Indians; that eight days after his arrival in Albany he went to Ticonderoga and the northern communications to see, personally, what was to be done; and was on the point of doing the same to Fort Schuyler and the western communications, when General St. Clair's letter arrived, advising of the approach of the enemy; that he lost not a moment's time in applying for reinforcements both of Continental troops and militia; that he was on the way to put himself at the head of the small body of militia which had moved, when he received the account of the evacuation of Ticonderoga; that after that his exertions to prevent or retard the enemy's progress were without intermission, and not without success, until he was, unhappily for him, he said, "no longer permitted to direct the military operations in the Northern Department; that "from that time until

this day I have never ceased affording any aid in my power to give success to the glorious cause America is engaged in."

Every member of the court knew these allegations to be true; and the verdict was quickly given, as follows:

"The court having considered the charges against Major-general Schuyler, the evidence and his defence, are unanimously of opinion that he is NOT GUILTY of any Neglect of Duty in not being at Ticonderoga, as charged, and the court do therefore acquit him with the highest honor."

These proceedings of the Court were laid before Congress, and at their evening session on the 3d of December, 1778, they resolved "That the sentence of the General Court-martial acquitting Major-general Schuyler with the highest honor, be, and hereby is confirmed." Whereupon they ordered "That the proceedings of the said court-martial be published,"\* and "that the above resolution be transmitted to the commander-in-chief."

The result of the trial was no surprise to General Schuyler's friends, nor to the public at large. It was a foregone conclusion in the minds of all intelligent citizens. Before the verdict was officially known, and several weeks before it was sanctioned by Congress, the Legislature of the State of New York, then sitting at Poughkeepsie, on the Hudson, appointed him a delegate from his State in the Continental Congress, and urged him to repair to Philadelphia immediately. But his sense of honor forbade him to take a seat in a body which had not yet decided upon his guilt or innocence. "I cannot think of going to Congress," he wrote from the place of his trial, "until I receive the determination of Congress on the sentence of

\* These proceedings were published, in detail, in a thin folio volume.

the court-martial, perhaps not even then. I am appointed much against my inclination. I had entreated my friends to use their influence that I might not be sent. They have, I find, exerted it a contrary way. Pray entreat Messrs. Morris and Lewis and other friends to urge their [Congress] determination. It is extremely distressing to be continued in this awkward situation.”\*

“Your reason for not going thither [to Philadelphia] before Congress had determined on the sentence of the court of inquiry,” Walter Livingston wrote to Schuyler, from Poughkeepsie, “was satisfactory, but how long that excuse will be deemed so, I cannot say, for you were elected while under sentence, consequently, all supposed, beyond all possibility of doubt, innocent, and therefore ought immediately to go to Congress.”†

\* Autograph Letter to Wm. Duer, Oct. 16, 1778.

† Autograph Letter, Oct. 16, 1778.