



# JOURNAL OF THE AMERICAN REVOLUTION

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/ September 4, 2014

## SO HEAVY A TRIAL: THE BURNING OF NEW YORK'S FIRST CAPITAL

by Jack Kelly (<https://allthingsliberty.com/author/jack-kelly/>)



**“W**e are hellishly frightened,” Gouverneur Morris wrote to a friend on October 8, 1777.[1] Morris was attending to the business of the New York State legislature in Kingston, a town one hundred miles north of New York City. The old Dutch village had that year, by default, become the state’s capital.

Morris and his colleagues had reason to fear. The day before, the legislators had received news by express rider that the two American forts protecting the Hudson Highlands fifty miles to the south had been captured by the British. With favorable winds, enemy warships and troops could bear down on Kingston in a day. At the same time, British general John Burgoyne was leading an army down from Canada. Most local militiamen had either rushed to meet the northern threat or joined the small force manning the forts to the south.

During past year, the British had captured New York City and Long Island and battered George Washington’s bedraggled army across New Jersey. The Convention assigned to write the state’s first constitution had been chased to White Plains, then to Fishkill, farther up the river. Finally, in February 1777, the members had convened in Kingston. In April they had ratified the document and by mid-summer voters had elected a legislature. George Clinton, a country lawyer and the son of a farmer, had been sworn in as governor at Kingston on July 30.

Kingston had been one of the first Dutch



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settlements along the Hudson, and most of its inhabitants still spoke Dutch. It was a prosperous village perched on high ground two miles from the Hudson. During the summer, legislators set to work there to hammer together a government. The Senate met in the cramped, hundred-year-old shop of a merchant named Abraham Van Gaasbeek. The Assembly convened in a tavern, the Supreme Court in the local courthouse.

By August, the British threat seemed to abate, if only slightly. Dogged patriot resistance had thrown off Burgoyne’s timetable for reaching Albany, fifty miles north of Kingston. American general Horatio Gates had taken over and rallied the northern army. When British general William Howe finally stirred from New York, it was not to reinforce Burgoyne’s effort but to

venture south toward Philadelphia. He left his subordinate Sir Henry Clinton with instructions to aid the northern invading army if the chance arose. A cautious Clinton, with only 7,700 men, half of them loyalists, to defend New York City and adjacent regions, sat waiting for reinforcements before making a move.



<http://allthingsliberty.com/wp-content/uploads/2014/08/senate-house.jpg>

In September, as Howe was marching into the new nation's capital, Burgoyne was getting the worst of a battle with Gates at Freeman's Farm north of Albany.

Senate House, Kingston, NY. Source:

[senatehousekingston.org](http://senatehousekingston.org)(<http://senatehousekingston.org>)

Burgoyne's men threw up fortifications and waited, keenly expecting help from the south. The key position now became the Hudson Highlands, a string of mountains on either side of the river that began forty miles north of New York City. It was here the rebels expected to block any enemy incursion up the river.

The Americans had built Forts Montgomery and Clinton on the western shore of the southern stretch of the Highlands, installing heavy guns and running an iron chain from shore to shore. At the north end of the mountains, they threw up Fort Constitution and installed a cheveaux de frise, an underwater obstruction bristling with sharpened logs. Israel Putnam, the oldest of the American generals, commanded about 1,500 Continental and militia soldiers defending the critical region.

Henry Clinton finally received his reinforcements and sailed up the Hudson in early October. He landed troops on the east side of the river, convincing Putnam that the main attack would come from that quarter. He then took the west bank forts from the rear, capturing more than two hundred men. Thirty-eight-year-old George Clinton, a Continental Army general as well as governor, managed to escape.

Henry Clinton's 4,000-man force blasted the chain, continued up the river and captured Fort Constitution, opposite West Point, completing their conquest of the Highlands. A loyalist showed them the narrow channel that the patriots had left in the cheveaux de frise to accommodate trading sloops. Clinton sent several warships under Captain James Wallace north to reconnoiter. On October 13, the naval commander reported the river defenseless.

Clinton had returned to New York City due to illness, leaving General John Vaughan with instructions to create a diversion that might draw off some of Gates's troops and help Burgoyne. Vaughan headed north on October 14 with a flotilla of thirty warships and

transports carrying 1,600 soldiers.

The difficulty of communicating across stretches of the interior now began to tell. Henry Clinton sent Lieutenant Daniel Taylor, wearing civilian clothes, to let Burgoyne know that help was on the way. Threading through the backcountry, Taylor encountered an American picket guard. Governor Clinton was camped just above the Highlands with a small force of Continentals and militia, hoping to “keep pace with the vessels now in the river” and resist any further British incursions along the west shore. He was determined to “defeat the enemy’s design in assisting their northern army.”[2]

Taylor mistook the men, some of whom wore captured British uniforms, for friendly forces. Further confusion ensued when he demanded to know the identity of their commander. General Clinton, they told him. Taylor asked to be taken to him, thinking they meant Henry Clinton. When confronted by George Clinton, Taylor quickly swallowed something he held in his hand. Clinton ordered a doctor to give the spy a strong emetic. Taylor vomited the object, a bullet-sized silver ball. Unscrewed, it yielded the message from Henry Clinton to Burgoyne: “I sincerely hope this little success of ours may facilitate your operations.”[3]



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What neither the Americans nor Taylor knew was that Burgoyne, running low on provisions, had tried to sweep around the end of General Gates’s lines on October 7. A blistering battle had ended badly for the British, forcing them to abandon their fortifications. Burgoyne had begun a belated retreat northward. He soon found himself surrounded by Gates’s ebullient army. Even as British forces were at last taking control of the Hudson to the south, Burgoyne was facing the prospect of surrender in the north.

The New York State legislature had suspended deliberations as soon as the news reached Kingston that the forts protecting the valley had fallen. The members, hurrying to take up militia duties or to look after their families, appointed a Council of Safety to act on their behalf. Provisions stored in the town were transported to Albany, cattle rounded up, state records shipped to the interior.

Residents of the town began to pack their own belongings and flee inland. The village, located near stretches of rich farmland, had a prosperous mien. Many of the hundred-odd houses

were constructed of stone. The buildings included stores, taverns and an academy of higher learning that attracted students from around the country.

Vaughan and Captain Wallace, ignorant of events unfolding eighty miles to the north, sailed up the river, their squadron led by the inaptly named war vessel Friendship. On Wednesday, October 15, they went to anchor a few miles south of Kingston. Additional British warships were stationed along the river to secure Vaughan's communications.

At the same time, Governor Clinton was struggling to lead about a thousand men with seven field guns up inland roads to meet the threat. He wanted a larger force, but found militiamen "anxious about the immediate safety of their respective families."<sup>[4]</sup> General Putnam was marching several thousand troops, mostly militiamen, up the east side of the broad river. But ships could sail the tidal estuary far more easily than men could trudge along rough roads.

Clinton sent ahead orders to the few defenders left in Kingston to throw up a battery near the river landing. "Every man that can fire a Gun should be immediately embodied," he declared.<sup>[5]</sup> He drove his men in a forced march the forty miles from the top of the Highlands toward the state's capital. On the way he received a message, sent from Kingston at five p.m. on October 15, that bore the first word of Burgoyne's defeat.

On the morning of October 16, Captain Wallace positioned his ships to fire on the American defenses, a small battery near the shore and an armed row galley, the Lady Washington, which guarded the mouth of Rondout Creek, Kingston's river landing. A cannonade began between ships and shore, but the American forces could only mount a token resistance. One column of British soldiers took the gun emplacements at bayonet point while another landed along the Rondout. The rebels ran the out-gunned Lady Washington up the creek and scuttled her.

General Vaughan felt the apprehension of operating behind enemy lines. He was wary of the American troops whom he correctly guessed were approaching from the interior. But Governor Clinton's force was too little and too late. Outnumbered and exhausted from their rush northward, they could not save Kingston. They camped a few miles away and prepared to oppose any further British advance.

As Vaughan's men mounted the high ground toward the village, tradition has it that they encountered a tory named Jacobus Lefferts.<sup>[6]</sup> He gave Vaughan his first inkling of Burgoyne's fate. If the northern army had indeed been defeated, then Vaughan's primary mission, creating a diversion, had become moot. But was the information correct?

Faced with his choice of imponderables, Vaughan let his anger and frustration dictate. He ordered his men to burn every building in Kingston. They made quick work of the destruction.

Small groups rushed through the village, described as “a pretty compact place with several streets,” putting to the torch every home, every barn, 254 buildings in all. “In a very short time,” a patriot newspaper reported, “that pleasant and wealthy town was reduced to ashes.”[7]

They “burnt my dwelling houses, barn, cider house or store house,” Col. Abraham Hasbrouck wrote in his diary. They took two of his slaves and “destroyed all my household goods and furniture, and my library of books . . . I pray the Lord will support me under so heavy a trial.”[8]

The town church, fifteen shops, the courthouse and the academy were burned. Only one house remained intact, perhaps as a result of British haste. The troops burned arms and supplies, blew up some stored gunpowder, gathered booty, and scurried back to their ships only three hours after coming ashore. As many as four thousand civilians were left homeless.

Afterward, Vaughan claimed that patriots had fired on his men from the houses. This is unlikely, as residents had already fled. Eager to justify himself, Vaughan wrote that the town was a “Nursery for almost every Villain in the Country.” A loyalist newspaper referred to the “insolent and provoking Behaviour” of the patriots.[9] This was hardly a valid excuse for an indiscriminate attack on civilian property.

British conduct, George Washington judged, “would do dishonour to the Arms of Barbarians.”[10] A grim General Gates wrote to Vaughan on October 19, citing his “unexampled cruelty.” He went on to demand, “Is it thus your King’s General thinks to make Converts to the Royal Cause?”

Referring to Burgoyne and his staff, Gates warned Vaughan, “Their fortune may one day be yours, when, Sir, it may not be in the power of anything human to save you from the just vengeance of an injured people.”[11]

After putting Kingston to the torch, Vaughan sailed ten miles north to burn the mansion of the patriot Livingston family, which sat on the east bank of the river. He destroyed some additional mills and homes owned by notorious rebels. Then he waited. Still in the dark as to the fate of the northern army, Captain Wallace wrote on October 17, “I am afraid General Burgoyne is retreated – if not worse.”[12] It was worse. That very day, Burgoyne was handing his sword to General Gates in the surrender ceremony at Saratoga.

By October 23, Vaughan had confirmed the shocking truth. He turned south toward safety.

General Putnam’s men kept pace with the British ships as they descended the river. Their potshots did little damage but their presence forestalled further British raiding. Meanwhile,

General Howe had ordered Henry Clinton to send reinforcements to Philadelphia. Clinton, in turn, directed Vaughan to pick up the garrison troops he had left along the Hudson. Vaughan destroyed the Highlands forts and relinquished all British gains in the Hudson Valley.

Howe wrote back to England that Vaughan and Wallace had accomplished a “very spirited piece of service.”<sup>[13]</sup> Vaughan never faced the vengeance of an injured people. Later assigned to duties in the West Indies, he saw his career capped with a knighthood.

Meanwhile, the Americans reoccupied the Highlands, now focusing their defenses on West Point. They would never again lose control of this vital region.

The burning of Kingston was a disaster for the residents, their suffering made acute by the oncoming winter. Some moved away, some lived in lean-tos, some struggled to reconstruct their homes in the spring from the still-standing stone walls. Robert Livingston, in spite of his own loss, donated 5,000 acres west of the town for the benefit of the victims. Citizens as far away as South Carolina sent aid to the homeless. When the New York legislature reconvened, it was in Poughkeepsie, twenty miles to the south.

The campaign that culminated in the destruction of New York State’s first capital raises a question about the soundness of the larger British strategy. Perhaps it was true, as both sides felt, that British control of the Hudson corridor would have been a decisive development in the war, cutting the colonies in two and dominating communications in the American heartland. But the failed thrusts by Clinton and Burgoyne in 1777 demonstrated the difficulty of taking and holding a slice of territory that ran through the center of a hostile population. It may be that the British hope of winning the war by dividing the colonies was always destined to come to ruin on those twin American advantages: the long distances of the continental interior and the determination of patriots.

[FEATURED IMAGE AT TOP: Detail of engraving depicting the New York City fire of 1776.  
Source: New York Public Library]

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[1]Richard M. Ketchum, *Saratoga: Turning Point of America’s Revolutionary War* (New York: H. Holt, 1997), 438.

[2]George W. Pratt, *An Account of the British Expedition Above the Highlands of the Hudson River, and of the Events Connected With the Burning of Kingston in 1777* (Kingston: Ulster County Historical Society, 1977), 119, 128.

[3] George Clinton, Public Papers of George Clinton, First Governor of New York, Volume II (New York: Wynkoop Hallenbeck Crawford Co., 1900), 414.

[4] Clinton, Public Papers, 414.

[5] Pratt, An Account of the British Expedition, 117.

[6] Pratt, An Account of the British Expedition, 136.

[7] Pratt, An Account of the British Expedition, 142-143.

[8] Pratt, An Account of the British Expedition, 110.

[9] Pratt, An Account of the British Expedition, 139, 142.

[10] James M. Johnson, editor, Key to the Northern Country: The Hudson River Valley in the American Revolution (Albany: State University of New York Press 2013), 237.

[11] Pratt, An Account of the British Expedition, 145.

[12] William Bell Clark, editor, Naval Documents of the American Revolution (Washington: U.S. Government Printing Office, 1964), 193.

[13] Pratt, An Account of the British Expedition, 140.