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William Gilliland vs. Udney Hay A Revolutionary War Deal Gone Sour for Gilliland

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Being a very shrewd businessman from the start it was hard for William Gilliland to accept any failure or loss even if it was due to the pressures of the reality of war operations and no one's personal responsibility. Money was his personal goal.

During the Revolutionary War the American and British land forces were often required to live off what they could acquire from local farms and industry as they moved about tactically in the various military operations.

By the fall of 1776 the American army was in retreat from Canada and in need of supplies. Gilliland had by this time sent 100 head of cattle and other items to Crown Point for the army and safety from the sure to arrive British forces. He had been given a party of men by General Gates to return to his settlement at the Boquet and move as much of his portable belongings to Ticonderoga as he could. During his time there in mid-September 1776 Major Udney Hay of the Continental Army's Quartermaster General Corps came and entered into an agreement with Gilliland to purchase the crops of his and his tenant farmers.¹ In a letter to George Washington Hay said he indicated to Gilliland and others that the goods purchased would not be paid for until they were loaded on batteaux sent to receive them.² However with the defeat of Benedict Arnold's fleet on the lake, the British withdrew to the

north. Nevertheless it was feared that there may remain cruisers on the lake and that it would be too dangerous to send batteaux to obtain the purchased crops.

This latter point is disputed by Gilliland in a petition to General Gates for payment for his losses in which he states:

“That there was plenty of time to remove the whole of those crops both before our fleet was defeated and after the enemy returned to Canada before the lake took,³ but your petitioner never heard that any attempt was made for that purpose, during either of those times.”⁴

General Gates did appoint a commission to look into the claims of Gilliland but there is no record of it meeting or any decision. As Winslow Watson points out, “that Gilliland himself is silent on the matter it supports the idea that some other pressing matter caused the commission not to proceed.”⁵

Whether the commission met or not, Gilliland did not receive any payment. In 1777 he addresses a lengthy memorial⁶ to congress part of which is again seeking payment for many things including his deal with Udney Hay.⁷ However, the Continental Congress also did not feel he was entitled to payment.

Frustrated by his inability to get payment Gilliland decided to take matters to the legal process. He presented his case to the Commissioners of Accounts in Albany who continued to say that he was not entitled to payment as the goods were not received by the army. In view of this Gilliland and his half brother John Watson had Udney Hay arrested.

In his letter to George Washington, Hay states that he had given

“a bail of five thousand Pounds, and am determined (if I have your Excellencies approbation) to stand trial.”⁸

Hay, in this same letter, indicates that he presented the matter to the Attorney General in New York who agreed with him that Gilliland was not entitled to his claim. Hay also says that the matter took place before the appointment of the then current Quartermaster General, that person would

probably not want to comment on the matter.

Washington replied to Hay from Philadelphia in a letter dated 18 January 1779:

“I have your favs. of the 5th and the 9th instants. The first containing a representation of the dispute with Mr. Gilliland respecting the payment for Forage. As he has brought a civil suit, it must go thro’ the usual forms of process, and if you are cast, and it appears that there was no delinquency on your part as an officer of the public, the public must undoubtedly bear you harmless. In the meantime you will employ proper council to make your defence.”⁹

It is interesting to note that Washington, while agreeing with Hay, yet advises him to employ council. Washington wants the issue settled by a due process to end the dispute. This is perhaps due to the fact that Gilliland was making demands for payment for other losses incurred during the war.

Clearly Gilliland either did not understand or chose to ignore the dangers faced by the American forces on this issue and pressed on for payment. Asking Udney Hay for payment, then petitioning General Gates then a long memorial to congress and submitting the case to the Commissioners of Accounts in Albany, met with no success. Finally Gilliland had Udney Hay arrested forcing a legal process.

Regardless, no official determination of this action is found. From the fact that Hay continues to function as the Assistant Deputy Quartermaster General was promoted to Brevet Lieutenant Colonel and is subsequently recommended by Washington to be Quartermaster General, though congress appointed Nathaniel Greene to the post, it seems clear that no case against Hay was successful on this question.

That leaves us to the conclusion that Gilliland was a money first person. This along with other claims he pressed for loss including issues with Benedict Arnold eventually led to his arrest on belief that he was loyal to the British cause. He was later cleared of that but continued to make claims for loss in the war.

- 1 The Journal of William Gilliland: 18th Century Pioneer of the Champlain Valley. Transcribed by Fuller Allen, J.D., David Kendall Martin, F.A.S.G. Editor, The Clinton County Historical Association, Plattsburgh, New York 1997. p. 97
- 2 "To George Washington from Lieutenant Colonel Udny Hay, 5 January 1779," *Founders Online*, National Archives, last modified June 29, 2017, <http://founders.archives.gov/documents/Washington/03-18-02-0643>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 18, *1 November 1778–14 January 1779*, ed. Edward G. Lengel. Charlottesville: University of Virginia Press, 2008, pp. 572–574.]
PERMALINK: <http://founders.archives.gov/documents/Washington/03-18-02-0643>
- 3 Froze over
- 4 Petition of William Gilliland to General Gates, dated at Albany, August 20th 1777 as cited in Watson, Winslow C., *The Pioneer History of the Champlain Valley*. J. Munsell, Albany, NY, 1863. p. 53
- 5 Watson, Winslow C., *The Pioneer History of the Champlain Valley*. J. Munsell, Albany, NY, 1863. p. 57
- 6 As defined by www.dictionary.com "A written statement of facts presented to a sovereign, a legislative body, etc., as the ground of, or expressed in the form of, a petition or remonstrance. "
- 7 The Memorial of William Gilliland late of Willsboro on the west side of Lake Champlain as cited in Watson, Winslow C., *The Pioneer History of the Champlain Valley*. J. Munsell, Albany, NY, 1863. p. 174
- 8 "To George Washington from Lieutenant Colonel Udny Hay, 5 January 1779," *Founders Online*, National Archives, last modified June 29, 2017, <http://founders.archives.gov/documents/Washington/03-18-02-0643>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 18, *1 November 1778–14 January 1779*, ed. Edward G. Lengel. Charlottesville: University of Virginia Press, 2008, pp. 572–574.]
PERMALINK: <http://founders.archives.gov/documents/Washington/03-18-02-0643>
- 9 "From George Washington to Lieutenant Colonel Udny Hay, 18 January 1779," *Founders Online*, National Archives, last modified June 29, 2017, <http://founders.archives.gov/documents/Washington/03-19-02-0018>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 19, *15 January–7 April 1779*, ed. Philander D. Chase and William M. Ferraro. Charlottesville: University of Virginia Press, 2009, p. 16.]
PERMALINK: <http://founders.archives.gov/documents/Washington/03-19-02-0018>